

**Town of Bethany Beach  
Planning Commission Minutes  
September 22, 2007**

The Bethany Beach Planning Commission held a meeting on Saturday, September 22, 2007 in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

The following members were present: Kathleen Mink, who presided, Donald Doyle, Lonny Moore and Fulton Loppatto.

Also present: Councilman Tracy Mulligan, Councilman Steve Wode, Councilman Joseph Healy, Lew Killmer, (Planning Commission Appointee, Patricia Titus of the Coastal Point, John Eckrich, Building Inspector, Seville Pettit, Administrative Secretary and interested members of the public.

The meeting was called to order at 8:59 a.m.

**OPENING OF MEETING**

*Approval of Agenda*

Ms. Mink made a suggestion to modify the agenda to first discuss New Business.

*Review Final Plans for a PRD submitted by Helen Loftus, Trust identified as Sand Dollar Walk, Lot 15 and 16, Block 144 located at 680-688 Garfield Parkway in the R-2 Zone*

The Planning Commission members began to review the final plans for the PRD submitted by Helen Loftus, Trust.

Mr. Eckrich recapped the open issues such as, the moving of units, the placement of the tree in the storm water management area and the signatures of the correct State departments.

Mr. Mike Cummings of Miken Builders also a member of the non-profit organization called Contractors for a Cause explained this project that they are trying to achieve will allow people that are less fortunate, due to illness come and stay on the beach for a short stay.

Mr. Doyle made a motion to approve the final plans for the PRD after the correct signatures are provided. The motion was seconded by Mr. Loppatto and unanimously approved.

The final letter of the plan's approval letter will not be sent until all signatures and paperwork is provided.

*Discussion/ Approval of Planning Commission Minutes dated August 18, 2007*

The approval of the minutes was tabled until the meeting on October 20, 2007.

### *Announcements/ Comments/ Updates*

#### **Commercial Design Review Committee (CDRC) (Doyle)**

Mr. Doyle had some concerns about the finalization on the plans dealing with the Blue Surf project that was presented at the meeting.

Mr. Eckrich stated that he had a conversation with DNREC and they received a set of plans the same day as the Commercial Design Review Committee reviewed its set of plans. DNREC had some concerns about the plans that they received. Mr. Eckrich will be meeting with DNREC to clarify issues regarding the plans for the Blue Surf.

The modifications to the plan received by the Commercial Design Review Committee approved.

#### **Town Council & other news**

Ms. Mink reported that Chapter 40 in the General Code will be a subject of the Town Council Workshop. The three topics that are open for discussion were 1) a Town Council member becoming an ex-officio member meaning they will not vote, but participate in all the discussions, 2) updating Chapter 40 to be in alignment with the State codes and 3) to extend the terms of Planning Commission membership from a two-year term to a three-year term.

The Town Solicitor reviewed the proposal of Chapter 40 and was in agreement with the intent of the proposed amendment. There were minor suggestions for the document that will be addressed prior to the Town Council's first reading.

Mr. Doyle stated after speaking with Mayor Olmstead, she indicated it would be a good idea for the Planning Commission to formalize the Commission's position and it could be factored into the changes that are being discussed under the new mission statement. Ms. Mink will do this in a memo to Town Council.

#### **Status of Planning Commission recommendation to Town Council regarding Updates to Chapter 40 – Planning Commission (Mink)**

Ms. Mink stated that the Planning Commission would like to proceed with Chapter 40 amendment as currently proposed, at this time the Chairman of the Zoning Commission is a member of Board of Adjustment (BOA) while there is interest in merging with the Zoning Commission.

Ms. Mink also stated that the Planning Commission has a full proposal on an updated Chapter 40. A proposal that would merge Planning with Zoning.

Mr. Doyle made a motion, in the future after the Town Council creates the ordinance, the Zoning and Planning Commission should be merge together. All were in favor. Ms. Mink will send a memo to Town Council indicating the Planning Commission's endorsement of a merging of the two Commissions.

#### **Comments, Questions & Answers discussion for Planning Commission**

## **Members**

There were no discussion at this time.

## **OLD BUSINESS**

### ***Continue update of Chapter 245 (All)***

#### **Article V ...245-30 thru 36 (Nonconforming Uses, Structures, Lots)**

Tabled until the month of October.

### ***Proposal to amend Regulation 245.17.C. regarding requirements for trailers used for the purpose of holding or transporting pleasure boats. (Eckrich)***

Mr. Eckrich provided the Planning Commission members with information on the current code dealing with storage of trailers and campers, which requires an annual permit.

Mr. Eckrich provided a draft of an amendment combining requirement for storing boats, trailers, personal watercraft, recreational vehicles and camping trailer. Mr. Eckrich noted there is a provision in a different section of the code requiring permission must be granted by the Town to park oversized vehicles.

Mr. Eckrich suggested reviewing each request for storing boats, trailers, and/or personal watercrafts individually having an application and an approval procedure.

Ms. Mink questioned the lack of criteria which will be required to complete the application and obtain approval for a permit.

Mr. Eckrich requested the input from Planning Commission members. There is a recommendation to put a time limit on how long the boat will be stored on a property.

Ms. Mink stated that two issues needing clarification are to develop specific guidelines on filing an application and for identifying criteria for approval and issuance of a storage permit.

### ***Development of regulation regarding requirements for fences on Commercial Properties that abut Residential property. (Moore)***

Mr. Moore provided the Planning Commission members with the previous information and there was a discussion. There was a suggestion to place the requirements for the fences within the Commercial Architectural Guidelines.

Mr. Eckrich will work with the Town Manager on next steps.

### ***Updates on Special Projects***

#### **Loppatto – Interactive web site (eGovt)**

Mr. Loppatto reported that he received some input on the material he distributed in August.

Mr. Loppatto suggestions included that the Town hire someone for the ongoing management of the web site.

Mr. Mulligan stated that the web site is the Town Manager's responsibility. There are volunteers who support the Town Manager and his decision with the web site. The Communications Committee provides recommendations to the Town Council for the web site when needed. The Communications Committee looks at the work of the Town Manager when it is prepared and it provides two services, being of citizens input and also provides a public meeting format.

**Moore – Updated requirements for PRDs**

Mr. Moore provided the Planning Commission members with suggestions regarding elements for consideration. He requested input from Commission members. Ms. Mink advised that Mr. Killmer will be assigned at lead for this special project effective after the October meeting.

**Doyle – Vision of Bethany Beach's future**

Mr. Doyle provided the Planning Commission members with the final version of his vision. There was much discussion and high praise.

Mr. Loppatto made a motion to embrace the document as the vision of Bethany Beach's future and transmit to the Town Council. The motion was seconded by Mr. Moore. All were in favor. Ms. Mink advised she will send a letter to Town Council with a copy of the Planning Commission's newly adopted vision.

**Killmer – New Town Council representative – development of strong Communications between the business community and the Town**

Tabled until the month of October.

**Mink – Discussion of 2005 Comprehensive Plan's recommendations needing Action and/or updating.**

Tabled until the month of October.

**Loppatto – Development of 2008 Town-wide survey**

Tabled until the month of October.

**ADJOURN**

Mr. Doyle made a motion to adjourn. The motion was seconded by Mr. Loppatto and unanimously approved. The meeting adjourned at 11:50 a.m.

Respectfully Submitted,

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Seville Pettit  
Administrative Secretary

**PLANNING COMMISSION  
ACTION ITEMS  
SEPTEMBER 22, 2007**

1. Ms. Mink to prepare transmittal letter to Town Council to accompany the Planning Commission's Vision of Bethany Beach, which will serve as the foundation for the update to the Comprehensive Plan.
2. Planning Commission members to provide input to Mr. Eckrich regarding comments and questions on current draft of Chapter 245-17. Temporary structures and trailers.
3. Mr. Eckrich to consult with Town Manager to determine the Town Council's interest in developing to completion a new ordinance regarding requirements for fences on those commercial properties abutting residential properties.
4. Mr. Moore to finalize eGovernment proposal document with a brief description of each item.
5. Planning Commission members to prepare individual comments Re: Draft of proposed requirements for PDR. Comments due to Mr. Killmer by Friday, October 12, 2007.
6. Planning Commission members to provide Ms. Mink with individual comments regarding earlier distributed document itemizing those 2005 Comprehensive Plan recommendations needing action, updating or deleting. Comments due to Ms. Mink by Friday, October 12, 2007.