

**Town of Bethany Beach  
Planning Commission Minutes  
November 16, 2013**

The Bethany Beach Planning Commission held a meeting on Saturday, November 16, 2013 at 9:00 A.M. in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

The following members were present: Lew Killmer, Chairman, who presided; Faith Denault; John Gaughan; Fulton Loppatto; and Jerry Morris.

The following member was excused: Mike Boswell.

Also present: Susan Frederick, Building Inspector; Council members, Joseph Healy and Margaret Young; Lindsey Good, Administrative Secretary; and interested members of the public.

**OPENING OF MEETING**

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

Approval of Agenda

Mr. Gaughan made a motion to approve the agenda. The motion was seconded by Ms. Denault and unanimously approved.

Discussion/Approval of the Planning Commission Minutes of October 19, 2013

Mr. Gaughan made a motion to approve the minutes dated October 19, 2013. The motion was seconded by Mr. Morris and unanimously approved.

Announcements/Comments/Updates

***Non-Residential Design Review Update (Denault/Killmer)***

Mr. Killmer gave the following report:

There was a Non-Residential Design Review Committee meeting held on November 8<sup>th</sup> on a continued discussion for an application submitted by Jeff Schoellkopf, Architect for Jack Burbage/Bethany Boardwalk Group, LLC for the construction of a hotel to be located Block 106, Lot 1 and Block 110, Lots 9, 10 and 11 in the CL-1 Commercial Lodging Zoning District, Bethany Beach. At the meeting, Mr. Schoellkopf provided the following information:

- The proposed hotel is planned to be called “Bethany Beach Ocean Suites”, which will run under Marriott reservation systems.
- The hotel will accommodate a maximum of 460 guests at one time.
- There will 112 guest rooms, and 40 of the rooms will have pullout sofas.
- There will be 115 off-street parking spaces for hotel guests, including seventeen (17) spaces for compact cars.
- The landscaping plans and lighting plans were reviewed.
- Options were offered and discussed for the loading dock issue that was addressed at the previous Non-Residential Design Review Committee (NRDRC) meeting.
- The Towns engineer is in the process of designing the layout on Hollywood Street. It was noted that the Fire Marshall is very restrictive with the streets fire safety requirements.

- The next meeting is scheduled for December 6<sup>th</sup>, and it is expected that the plans will be completed and submitted by then.

Mr. Gaughan, mentioned that the following items were identified at the previous NRDRRC meeting on October 11<sup>th</sup> that needed to be addressed regarding Mr. Jack Burbage's proposed hotel.: 1.) The loading zone needs clarification and the interior height of the loading zone need to be addressed. 2.) Not enough parking spaces for the hotel guests and employees. 3.) Landscaping plans need to be developed and reviewed. 4.) Possible design of expansion of the boardwalk at the end of Hollywood Street. 5.) The indoor pool possibly being available for public use during the off-season. 6.) The kitchens /kitchenettes planned for the guest rooms. He questioned the status of those issues. Mr. Killmer explained that all of those items were discussed and addressed at the Town Council meeting.

***Comments/Updates Regarding the November Town Council Meeting***

Mr. Killmer reported the following:

- Council approved supplementing the current General Fund Capital Budget with \$73,000 to fund four (4) purchases.
- Council approved increasing the Bethany Beach Volunteer Fire Company's Ambulance Fee from \$44.00 to \$53.00 for Town residents.
- The Town Council Protocol Manual was modified to allow staff members under certain circumstances to vote on Town committees was approved.
- The Town's new Zoning Map that was already approved by Council was reviewed. He noted that there are still a few small corrections that need to be made. Ms. Frederick advised that Sussex County has already approved the map, and Mr. Killmer stated that the Town should create its own map with the necessary modifications.
- Committee members were appointed.
- The December Town Council meeting was cancelled.
- Mr. Killmer noted that Council created an amendment to the draft ordinance to amend Section 425 of the Bethany Beach Town Code to further define and clarify zoning requirements for the newly created Commercial Lodging District (CL-1) and modifying parking requirements. This amendment was made to address items that were brought to attention after the previous meeting. The Town Council approved the 2nd draft at yesterday's meeting.

***Comments, Q&A and Discussion for Planning Commissioner Members (All)***

Mr. Gaughan questioned if there was any discussion at the Town Council meeting regarding the possible expansion of the Boardwalk for the proposed hotel. Mr. Killmer replied that this item is on the agenda to be discussed at the Town Council Workshop this upcoming Tuesday.

Mr. Killmer mentioned that he visited the Town's Water Plant recently, and the new footer for the water tower is incredible. The entire project is planned to be completed by next May.

## **OLD BUSINESS**

*The review of Draft C of an Ordinance To Regulate Residential Bulk Density is postponed to a future Planning Commission Meeting.*

## **NEW BUSINESS**

### Review a Rehoboth Beach Proposed Ordinance Regarding Side Yard Setbacks Especially as it May Relate to Large Lots and Corner Properties in Bethany Beach

Mr. Killmer explained that the City of Rehoboth Beach is proposing an ordinance to amend side yard setbacks to regulate the size of houses. The main focus regarding this issue should be about the impact of side yard setbacks for corner lots especially in the R-1 Zoning District.

Mr. Gaughan made a suggestion to consider creating a requirement that property owners must have a minimum number of parking spaces per number of bedrooms in a house. Mr. Killmer stated that this is a great recommendation and should be reviewed for future consideration.

At the next meeting, the Commission will hopefully create a final draft of the ordinance, and then invite representatives of the trading industry to attend a meeting to participate in a line-by-line review of the proposed ordinance.

### Elect Chairperson and Vice Chairperson For 2014 Planning Commission Meetings

Mr. Gaughan nominated Mr. Killmer to serve as Chairperson for 2014 Planning Commission meetings. All were in favor of the nomination of Mr. Killmer serving as Chairperson.

Mr. Gaughan nominated Ms. Denault to serve as Vice Chairperson for 2014 Planning Commission meetings. Ms. Denault nominated Mr. Gaughan to serve as Vice Chairperson for 2014 Planning Commission meetings. Mr. Gaughan did not accept the nomination for the reason of not being a full-time resident. All were in favor of the nomination of Ms. Denault serving as Vice Chairperson.

### Decide on the Date for the December Planning Commission Meeting

The Commission voted not to hold a Planning Commission meeting in December. Mr. Killmer asked the members to e-mail him dates that they are available to meet in January, and he will then schedule the meeting to accommodate them.

## **SUMMARY OF ACTION ITEMS**

- A. Mr. Killmer will review ordinances that other towns have used to establish parking tradeoffs in regards to regulating extra large houses.
- B. Mr. Killmer stated that he would like to have the Bulk Density issue resolved by the next two meetings. At the next meeting, the Commission will create a final draft of the ordinance and then representatives of the trading industry can be invited to the following meeting to participate in a line-by-line review of the ordinance and provide suggestions.

## **ADJOURN**

Ms. Denault made a motion to adjourn the meeting. Mr. Gaughan seconded the motion and it was unanimously approved. The meeting was adjourned at 10:15 a.m.

Respectfully Submitted:

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Lindsey Good, Admin. Secretary