

**Town of Bethany Beach  
Planning Commission Meeting  
June 20, 2015**

The Bethany Beach Planning Commission held a meeting on Saturday, June 20, 2015 at 9:00 a.m. in the Town Meeting Room.

Present: Lew Killmer, Chairman, who presided: Mike Boswell, Diane Fogash; John Gaughan, Fulton Loppatto; Jerry Morris and Susan Frederick (Building Inspector).

Also present: Lisa Kail, Administrative Assistant/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. Gaughan made a motion to approve the agenda. Seconded by Mr. Morris, the motion was unanimously approved.

Discussion/Approval of the Planning Commission Minutes of March 21, 2015 and May 16, 2015

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

Announcements/Comments /Updates

1. Non-Residential Design Review Committee Update

Mr. Killmer reported that the Non-Residential Design Committee (NRDC) met on June 12, 2015. Members approved two (2) new sign applications as follows:

- (1) “First and Anchor”. The business is located in the Town Center Mall and the business owner, Ms. Soni Chatani, described her business as an upscale women’s clothing store. In addition, the facade of the business was repainted yellow.
  
- (2) “Drifting Grounds Coffee House”. This is in the location of the former Boardroom Restaurant in the C-2 Zoning District. It has been divided into two stores. “The Drifting Grounds Coffee House” will occupy one of the stores.

2. Comments/Updates Regarding the June Town Council Meeting

Mr. Killmer advised that two (2) ordinances were adopted regarding temporary and windblown signs. The date of this year’s election is set for Saturday, September 12, 2015. The reorganizational meeting is scheduled for Monday, September 21, 2015.

A new member, Mr. Sherwin Weinstock, was appointed to the Board of Adjustment, and, a new Attorney, Mary Schrider-Fox was appointed for the Board of Adjustment.

### 3. Comments, Q&A and Discussion for Planning Commissioner Members

There were no comments.

### NEW BUSINESS

A. The Planning Commission will consider the Application for a Land Partitioning filed by George and Dana Worthington, for a property identified as Block 28, Lots 100 and 101 at 606 Pond View Drive, in the R-1 Zoning District.

The portioning was posted and properly advertised.

Ms. Frederick read the following prepared memo into the record as follows:

*George & Dana Worthington, owners of Lots 100 and 101, Block 28, known as 606 Pond View Drive are requesting that the lots be partitioned into two lots. Based upon the information provided:*

- 1. The property is zoned R-1 Residential and has a total area of 11,623 square feet. The lots front on Pond View Drive and abut the Salt Pond and a canal on two sides. The area includes the area beyond the bulkhead.*
- 2. The lots are currently vacant. A new bulkhead and dock was installed several years ago.*
- 3. Lot 100 consists of approximately 5,352 square feet and has 40 feet of frontage on Pond View Drive. Setbacks are shown as 20 feet in the front, 7 feet at each side and 15 feet in the rear (Abutting the canal/lagoon).*
- 4. Lot 101 consists of approximately 6,271 square feet and has 60.74 feet of frontage on Pond View Drive. Setbacks are shown as 20 feet in the front, 7 feet on each side (abutting Lot 100 and the Salt Pond) and about 15 feet in the rear (abutting the canal/lagoon).*
- 5. These lots were once two separate lots. If portioned the new address will be 606 Pond View Drive (Lot 100) and 608 Pond View Drive (Lots 101).*
- 6. Pursuant to Appendix 3, Table of Dimensional Requirements, in the R-1 District, the minimum street frontage for the interior lot is 40 feet and the minimum lot area for single dwelling lots is 5,000 square feet.*

Mr. Killmer said they meet all the criteria to be partitioned.

Mr. Gaughan noted that the application was signed by Ms. Worthington. He wanted to make sure that both vested owners are in favor of the partitioning.

In the future, he recommended that all property owners be required to sign applications to ensure there isn't a problem.

Mr. Gaughan moved the approval of the application for a Land Partitioning filed by George and Dana Worthington, for a property identified as Block 28, Lots 100 and 101 at 606 Pond View Drive, in the R-1 Zoning District. Mr. Morris seconded the motion and it was unanimously approved.

OLD BUSINESS:

A. Update Section §453-28 Accessory Structures To More Clearly Define When Accessory Structures Must Comply To The Updated Flood Damage Prevention Ordinance.

Mr. Killmer stated the current code read as follows:

**Current Code Requirements of §453-28**

Accessory structures shall meet the requirements of these regulations. Accessory structures that have a footprint of no more than 200 square feet may be allowed without requiring elevation or flood proofing, provided such structures meet all of the following requirements:

- (1) Usable only for parking or limited storage;
- (2) Constructed with flood-damage-resistant materials below the base flood elevation;
- (3) Constructed and placed to offer the minimum resistance to the flow of floodwaters;
- (4) Firmly anchored to prevent flotation, collapse, and lateral movement;
- (5) Electrical service shall be elevated to or above the level of the base flood elevation plus 18 inches; and
- (6) Equipped with flood openings that meet the requirements of § [453-26B](#).

Mr. Killmer suggested the following update:

### **Suggested Update to §453-28**

*Accessory structures shall meet the requirements of these regulations. Accessory structures that have a footprint of no more than one hundred-fifty (150) square feet may be allowed without requiring elevation or flood proofing, provided such structures meet all of the following requirements:*

- (1) Usable only for parking or limited storage;*
- (2) Constructed with flood-damage-resistant materials below the base flood elevation;*
- (3) Constructed and placed to offer the minimum resistance to the flow of floodwaters and;*
- (4) Firmly anchored to prevent flotation, collapse, and lateral movement.*
- (5) Electrical service shall be elevated to or above the level of the base flood elevation plus 18 inches.*

Mr. Gaughan moved approved. Seconded by Ms. Fogash, the motion was unanimously approved.

### **B. Update Section §453-24 (B) of the Town Code That Eliminates Freeboard Requirements For Gas Or Liquid Storage Tanks.**

Mr. Killmer advised that the requirement of 18 inches of free board needs to be removed. Ms. Frederick and Mr. Killmer discussed the above ground tanks and both agreed that there needs to be new language and will work on it.

Mr. Fogash moved approval as amended. Mr. Morris seconded the motion and it was unanimously approved.

### **Adjourn:**

Mr. Boswell made a motion to adjourn the meeting. Mr. Morris seconded the motion and it was unanimously approved. The meeting was adjourned at 9:30 a.m.