

Non-Residential Design Review Committee Meeting Minutes

August 14, 2015

The Bethany Beach Non-Residential Design Review Committee (NRDRC) held a meeting on Friday, August 14, 2015 at 10:00 a.m. in the Town Council Meeting Room, 214 Garfield Parkway, Bethany Beach, DE.

Members present: Lew Killmer, who presided; John Hendrickson; Jim Weisgerber; Susan Frederick, Building Inspector.

The following member was excused: Jerry Morris

Also present: Brendan Heneghan, applicant, for a new light box sign for “Yesterday’s Fun”; Dick Heidenberger, applicant, for a new wall sign for their restaurant “99 Sea Level”, located at 99 Hollywood Street in the Bethany Beach Ocean Suites; Cynthia Dodd, Administrative Assistant; and interested members of the public.

Call to Order

Mr. Killmer called the meeting to order at 10:05 a.m.

Approval of the Agenda

Mr. Weisgerber made a motion to approve the agenda. Ms. Frederick seconded the motion and it was unanimously approved.

Old Business

The purpose of the meeting is to continue the discussion and review of the application submitted by Brendan Heneghan, tenant at 786 Garfield Parkway, for “Yesterday’s Fun”. He is requesting approval for a new light box sign to be wall hung for property located at Lot 2, Block 144, in the C-2 Commercial Zoning District, Bethany Beach, DE.

Mr. Killmer began by opening the floor to Mr. Heneghan. Mr. Heneghan stated that he was ready to go and that he had the sign out in his truck if the Committee wanted to look at it and vote on it. Mr. Killmer asked Mr. Heneghan if he had the sign made up before it was approved. Mr. Heneghan said yes.

Jim Weisgerber stated that he wasn’t at the previous meeting. Susan Frederick stated that when Brendan came in last time he had a couple of ideas that he was working on and the Committee looked at two designs. One design was thought to be difficult to read due to the creative font that Mr. Hennighan was trying to use. Mr. Heneghan explained that the second design was a redesign from a window sticker for his Rehoboth store. He further stated that the current design was cleaned up to make it more appropriate for a light box. Ms. Frederick noted that the previous designs were found to be “busier” than the design being presented today.

Jim Weisgerber asked if the proposed sign met the size and type criteria in the code. Ms. Frederick stated yes. Mr. Weisgerber commented that he didn’t have any issues with the sign and would move to approve unless there was more discussion. Mr. Hendrickson said that Ms. Frederick had summed it up and thought that, at this point, it’s a matter of character with the rest of Bethany Beach. He stated that he thought that the sign was reminiscent of one to be seen on the Ocean City boardwalk understood that this was your logo and that you’ve gone with it in Rehoboth and Ocean View. Mr. Heneghan said that it was a different sign from ones used at his other locations. Mr. Hendrickson continued that Mr. Heneghan did

clean it up this appears to be more legible. Mr. Weisgerber commented that the mission of the Committee is to insure that there are no blinking signs or signs with crazy lighting and that, unless a design is offensive or misleading in some way, then he will vote to permit it if the size and scope are appropriate. He further stated that he did not want to get into managing others logos unless there is a really pressing reason not to.

Mr. Heneghan commented that Mr. Weisgerber hit the nail on the head and that the Supreme Court has said very clearly that no town can regulate the content of signs anymore. Mr. Killmer asked if that was his position. Mr. Heneghan said yes.

Mr. Hendricks said he does like that fact that he went larger with the vintage toys and games. Mr. Killmer added that it's a vast improvement over what was presented before. Mr. Killmer stated that this sign was much better. Additionally, the county was going to put a moratorium on all signage. So there is precedent for governments to make sure the signage is appropriate for a community. The purpose of the Committee is to make sure that signs in town fit within the culture of the Town.

Mr. Hendrickson stated let's move on and talk about your graphics. This is a box sign, plastic plate and plastic base and the colors are accurate? Mr. Heneghan stated that the box is aluminum with a white face and will be internally illuminated by LED lighting. Mr. Hendrickson asked if it was surface mounted. Mr. Heneghan responded yes, all of the signs on this building are vertical and suspended at an angle off of the sloping parapet.

Mr. Killmer asked if there was any further discussion. Mr. Weisgerber moved that the sign be approved. Ms. Frederick seconded. It was unanimously approved.

New Business

The purpose of the meeting is to discuss and vote on an application submitted by Dick Heidenberger, for Ocean Front LLC he is requesting approval for a new wall sign for their restaurant at 99 Hollywood St., in the Bethany Beach Ocean Suites Hotel located in the CL-1 Commercial Zoning District, Bethany Beach, DE.

Mr. Jim Weisgerber excused himself since he is a partner in this business and could not vote on this issue. Mr. Killmer began by stating that Mr. Heidenberger currently has 1 sign on the boardwalk and that the problem that they have is that no one from the street knows that there is a new restaurant that fronts onto the Boardwalk and ocean. Mr. Heidenberger stated that was correct and that they have no sign on Atlantic Avenue and that is where their entrance is. Ms. Frederick asked if the sign is going to match the other signs. Mr. Heidenberger said yes, the same sign company is making it and it will be the same materials, design and colors. He thinks that it will be installed by Labor Day.

Mr. Killmer asked if it met all of the sign regulations and zoning codes. Ms. Frederick said yes. Mr. Killmer asked if there was no further discussion would someone like to make a motion to approve. Mr. Hendrickson made a motion to approve. Ms. Frederick seconded and it was unanimously approved.

Announcements/Comments/Updates

Ms. Frederick reported the following:

The next NRDR Committee Meeting will be held September 11, 2015 with 2 signs to discuss. Approval of the Minutes from the Meeting held June 30, 2015 will be approved at the next meeting.

Approval of the Minutes from the Meeting held June 12, 2015

Mr. John Hendrickson made a motion to approve the minutes. Ms. Frederick seconded the motion and it was unanimously approved.

Motion to Adjourn

Mr. Lew Killmer made a motion to adjourn the meeting. Ms. Frederick seconded the motion and it was unanimously approved. The meeting was adjourned at 10:24 a.m.

Respectfully Submitted:

Cynthia Dodd

Administrative Assistant