

**Town of Bethany Beach
Planning Commission Minutes
January 17, 2009**

The Bethany Beach Planning Commission held a meeting on Saturday, January 17, 2009 in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

The following members were present: Lew Killmer, who presided, Donald Doyle, Fulton Loppatto, Faith Denault and Kathleen Mink. John Gaughan was officially excused from this meeting.

Also present: Councilman Joseph Healy, John Eckrich, Building Inspector, Seville Pettit, Administrative Secretary, Patricia Titus of the Coastal Point and interested members of the public.

The meeting was called to order at 9:03 a.m.

OPENING OF MEETING

Approval of Agenda

Ms. Mink 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 November 22, 2008

Mr. Doyle made a motion to approve the minutes dated November 22, 2008; the motion was seconded by Ms. Denault and unanimously approved.

Announcements/ Comments/ Updates

Non-Residential Design Review Update (Killmer)

Mr. Killmer reported the Non-Residential Design Review Committee held a meeting on December 12, 2008.

Mr. Coleman Bunting of Bunting Construction, representative of the Blue Surf Condominiums requested to change the window configuration and the doors on those businesses that face the ocean. There will be five sets of double doors replacing the initially proposed single doors with the required changes to the storefront window design to the five boardwalk level commercial establishments that face the ocean.

The application was approved by the DRC with no conditions. The applicant's request met all the requirements of the Bethany Beach Zoning Code and DRC requirements.

Comments/ Updates Regarding the January Town Council Meeting (All)

Mr. Killmer reported the Town Council approved different issues that were presented such as:

- Self-Certification Checklist which will go in effect the year 2010.

- Housekeeping changes which included voting rules.
- Discussion on the placement of guide wires for utility poles required for the Blue Surf Condominium project. After discussion, Town Council will send a letter to the Public Service Commission.
- Resolution for waiving the construction hours for the Blue Surf project.
- Assawoman Canal Memorandum of Understanding.
- Tempe Steen as the Board of Adjustment attorney.
- Protocol Manuel changes.
- Town Manager will proceed to gather information about the boardwalk web cam idea.
- The requirement for construction of public right of ways permits was tabled and will be on a future Town Council agenda.
- Flag and flagpole ordinance removed from the agenda as requested by Dr. Parsons.

Comments, Q&A and Discussion for Planning Commissioner Members

There was no discussion at this time.

PUBLIC COMMENT/ QUESTIONS FOR THE PLANNING COMMISSION

There was no discussion at this time.

NEW BUSINESS

There was no new business at this time.

OLD BUSINESS

Geothermal Heating/Cooling Continued Discussion/ Draft C (Loppatto)

Mr. Loppatto questioned if there was any feedback from the Town Council regarding the use of wind energy in Bethany Beach.

Mr. Killmer replied as a part of his presentation at the Town Council meeting, he provided the Town Council members with a set of documents and a cover letter created by the Planning Commission. He informed the Town Council that the Planning Commission is waiting for their decision if they wish the Planning Commission to proceed with developing proposed legislation regarding the installation and use of roof mounted wind turbines in Bethany Beach.

The Planning Commission members finalized the draft legislation regarding the installation and maintenance of Geothermal Energy equipment. The Planning Commission plans to organize a roundtable discussion on the subject made up of Geothermal HVAC installers, well drillers and representatives from the State that regulate the industry. The current plan is to have the roundtable discussion at our February Planning Commission meeting.

Continued Discussion Of The Creation Of An Updated Planning Commission Survey (Mink)

Ms. Mink provided the Planning Commissioners with information concerning the survey. After thorough review on each item, the discussion will continue in the future.

ADJOURN

Ms. Mink made a motion to adjourn. The motion was seconded by Mr. Doyle and unanimously approved. The meeting was adjourned at 12:12 a.m.

Respectfully Submitted,

Seville Pettit
Administrative Secretary

PLANNING COMMISSION
ACTION ITEMS
January 17, 2009

1. Mr. Loppatto to finish Geo Thermal ordinance and provide a copy to the Planning Commission members.
2. Mr. Loppatto to develop subjects of environmental issues for the survey.
3. Mr. Eckrich to schedule a meeting with the Geo-Thermal experts, Well Drillers, H.V.A.C installers and the State Well Drilling permits.
4. Ms. Mink to update the survey document.