

**Town of Bethany Beach  
Planning Commission Minutes  
March 20, 2010**

The Bethany Beach Planning Commission held a meeting on Saturday, March 20, 2010 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, who presided; Chuck Peterson; Kathleen Mink; and John Gaughan.

Excused members: Faith Denualt; Fulton Loppatto; and Susan Frederick, Building Inspector.

Also Present: Lindsey Shallcross, Administrative Secretary.

The meeting was called to order at 9:04 a.m.

**OPENING OF MEETING**

*Approval of Agenda*

Mr. Peterson made a motion to approve the agenda. Mr. Gaughan seconded the motion and it was unanimously approved.

*Discussion/Approval of the Planning Commission Minutes of February 20, 2010*

Mr. Gaughan made a motion to approve the minutes dated February 20, 2010. Seconded by Mr. Peterson, the motion was unanimously approved.

*Announcements/Comments/Updates*

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

There was no meeting this month so there was no report.

**Comments/Updates Regarding the March Town Council Meeting (Killmer)**

Mr. Killmer reported the following:

An Ordinance to Make “Housekeeping” Amendments to Chapter 72 Entitled “Regulations Governing Use of the Town Bandstand and Plaza”

Synopsis

*This ordinance is a housekeeping amendment to clarify that Town-sponsored entertainment programs and Town-authorized concessions are exempt from all provisions of the ordinance. (As originally-drafted, such activities were identified as exempt in several sections of the ordinance but not all sections of the ordinance). Such activities do not need to be subject to the provisions of this ordinance because they are under the control of the Town either directly (the Town-sponsored entertainment*

*programs) or indirectly (through contract with concessionaires) and the Town can impose appropriate limitations and requirements through those controls.*

The Council adopted this ordinance. There were noise and amplified sound issues that were also addressed in the updated ordinance.

An Ordinance to Amend the Town Ordinance Entitled “Regulations Governing Use of the Town Bandstand and Plaza” to Provide for “Special Events”

Synopsis

*This ordinance amends the town ordinance entitled “Regulations Governing Use of the Town Bandstand and Plaza” by creating bandstand regulations for special events that occur no more than once annually and are of such a unique nature and/or will attract such a large number of participants so as to not be reasonably accommodated under the ordinance’s typical time and manner restrictions. Under this amendment, special events shall not occur between the hours of 10:00 pm and 6:00 am, shall not take place when the bandstand is scheduled for use by another person or group or Town-sponsored event or Town-authorized concession. Special events shall not use the bandstand for more than eight (8) consecutive hours in one day or for more than 1 day during a calendar year. Additionally, amplification equipment may be used to communicate instructions, information, or music when needed due to the number of participants that it is anticipated will attend the event, provided that the volume shall not exceed that which is necessary to accommodate the participants attending the event and shall not be unnecessarily audible to those outside the bandstand/plaza. Electrical generating equipment may not be used, but amplification equipment may be run off the Town’s electricity or participants may use battery operated equipment. Artificial lighting may be used as long as it does not un-necessarily illuminate beyond the bandstand and there are no flashing, pulsing or rotating lights. No audio-visual equipment may be utilized, and a written agreement shall be required as provided in Section 4(e) of the original ordinance.*

The Council adopted this ordinance.

(First Reading) An Ordinance to Include Chapter 100, Article III “News Racks” to the Bethany Beach Town Code

This item was deleted from the agenda.

Discussion and Vote on the Proposal to Relocate the Utilities on Garfield Parkway

The Council approved this proposal. It is a \$1.1 million dollar contract and the bids have all been received. There are about five businesses in the C-1 Commercial District that will need to relocate their electrical supply to the structure to the rear of the structure. The deadline for the businesses to set up their electricity prior to the project is October 1, 2010.

Adoption of Budget for Fiscal Year 2011 and Schedule of Fees

The budget was approved with no complaints.

Update and Possible Vote on Recycling

The Council approved a proposal to move forward with the recycling to be handled by the Town's Public Works department, which begins on July 1, 2010. It will be less expensive when compared to using private contractors for both the Town and its residents.

Consider the Request for the Mayor of Periers, France Requesting Possibility of "Twinning" Their Town and The Town of Bethany Beach

The Council approved this request.

Consider Awarding Contract to Harvey Mack Sales and Service for the Purchase 2011 Mack GU 813 Truck Chassis for the Amount of \$109,777

The contract was awarded by the Council.

Consider Awarding Contract to H.A. Dehart & Son for the Purchase of Pak-Mor HLRC 34T High Compaction, Side Load Refuse Compactor for the Amount of \$69,505

The Council awarded this contract.

Consider Awarding Concession for Summer Exercise Program on the Boardwalk

The concession was awarded by the Council.

Mr. Killmer noted that the Council meeting was about an hour long.

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

Mr. Gaughan noted that the Google Wave Software that he mentioned at the previous meeting is not widely available and therefore has suggested that the Planning Commission not pursue this proposal further.

**PUBLIC COMMENT/QUESTIONS FOR THE PLANNING COMMISSION**

There were no comments/questions at this time.

**NEW BUSINESS**

There was no new business to discuss at this time.

**OLD BUSINESS**

*Continued Preparing For the Five Year Review and Update of Bethany Beach's 2005 Comprehensive Plan (Mink)*

Ms. Denault created a document containing the purpose statements of each of the committees that were distributed to the Planning Commission members.

Mr. Killmer developed a page of revisions for the 2010 Comprehensive Plan.

Mr. Killmer acknowledged that the Planning Commission has been approved to receive an intern to assist with this project. A job position was posted and there were two

applicants that have so far applied. The Town Manager, Cliff Gravier, is responsible for posting the job offer.

A discussion ensued regarding what information is required by the State of Delaware to be included in all Comprehensive Plans. Mr. Killmer explained that the State requires a wide range of topics that must be addressed in Comp. Plans that are reviewed by a number of State Agencies for completeness, therefore much of the information in the 2005 Comp. Plan is necessary and shouldn't be removed but simply updated where appropriate in the 2010 update. The State and the Institute for Public Administration (IPA) work together to insure that the Comprehensive Plans meet the requirements of the State.

Mr. Peterson asked what step needs to be completed next.

Mr. Killmer advised that it needs to be decided which committees of the Town should provide input towards the Comp. Plan and contact each Chairperson of those committees. He expressed that it is very important not to put unachievable goals in the Comp. Plan.

Mr. Gaughan advised that a notice should be given to all of the committees, so that they each have an opportunity to provide input for the Comp. Plan.

Ms. Mink noted that she used the information that Ms. Denault provided on the committees to change the format of the Comp. Plan so that it reflects the purpose of each committee and what it is they accomplish.

Mr. Killmer clarified that the current 2005 Comp. Plan only gives a brief overview on the committees. He feels it should provide further details about the committees because it is for everyone in the Town to read.

The Planning Commission members discussed the roles involved of the committees and the Planning Commission. The Planning Commission has the responsibility of generating the next set of recommended goals to put in the Comp. Plan.

Mr. Gaughan suggested referring to the 2005 Implementation Plan in able to recognize in the 2010 Comp. Plan which goals have already been accomplished and to configure if there are new objectives that haven't been completed. Mr. Killmer agreed with this point.

Mr. Killmer acknowledged that they have already obtained some of the data that needs to be updated in the plan.

## **SUMMARIZE ACTION ITEMS**

- A. Ms. Mink will send Mr. Killmer the electronic document of the updates that were created last year for the Comp. Plan.

- B. The Planning Commission will develop concepts and ideas for the next five years for the Town. They can begin by establishing a broad idea before creating detailed goals.

As an example, the Planning Commission discussed the concept of the Bethany Beach Business Community working together to transition the downtown commercial district to be a more year round environment.

- C. Develop a Strategic Plan for the Town. Mr. Peterson is going to produce discussion points for the “Idea of Moving Ahead” documents and Mr. Killmer will gather data on what other towns have done. Mr. Killmer advised Ms. Mink and Mr. Gaughan to send any ideas they may have to Mr. Peterson.
- D. Mr. Killmer is going to create a cover letter regarding input on the Comp. Plan, which will be distributed to the Chair Persons of each committee.
- E. The new intern is going to help create the new document of the Comp. Plan. Mr. Killmer would like a draft document completed by January 2011, so that they can plan a presentation in the early spring.

## **ADJOURN**

Mr. Peterson made a motion to adjourn the meeting. Mr. Gaughan seconded the motion and it was unanimously approved.

The meeting was adjourned at 10:16 a.m.

Respectfully Submitted:

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Lindsey Shallcross, Admin. Secretary

