

**Town of Bethany Beach
Planning Commission Minutes
September 25, 2010**

The Bethany Beach Planning Commission held a meeting on Saturday, September 25, 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; John Gaughan; Fulton Loppatto; Kathleen Mink; and Faith Denault.

The following member was excused: Chuck Peterson

Also present: Susan Frederick, Building Inspector; Councilperson, Margaret Young; Lindsey Shallcross; Administrative Secretary.

The meeting was called to order at 9:06 a.m.

OPENING OF MEETING

Approval of Agenda

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

Discussion/Approval of the Planning Commission Minutes of August 21, 2010

Ms. Denault made a motion to approve the minutes dated August 21, 2010. Seconded by Mr. Gaughan, the motion was unanimously approved.

Announcements/Comments/Updates

Non-Residential Design Review Update (Killmer/Denault)

There was no meeting so there was no report.

Ms. Denault questioned if the issue was resolved with the signage on the fast food business at the Blue Surf Shops on the boardwalk.

Mr. Killmer explained that nothing has been done at this time since the owners have not resubmitted a new design for the proposed sign to be reviewed.

Comments/Updates Regarding the September Town Council Meeting (Killmer)

- There was a first reading on an Ordinance to make various housekeeping revisions and clarifications to the Bethany Beach Town Code.

- The Council approved a Charter Amendment to expand the distance of where an Alderman Court judge must live. The new requirement will be that Alderman must reside in Sussex County. Previously they had to reside within five (5) miles of Bethany Beach. This change must be approved by state legislature.
- Committee Chair Appointments were reviewed and approved.

The Town appointed Mr. Mike Boswell to replace Ms. Kathleen Mink on the Planning Commission. Mr. Boswell's term expires in 2012.

Ms. Faith Denault's term expires in 2013.

Mr. John Gaughan's term expires in 2013.

Mr. Fulton Loppatto's term expires in 2011.

- A contract submitted by the East Coast Underground for the under grounding of utilities associated with utility relocation project on Garfield Parkway for the amount of \$446,000 was approved.
- A supplement to FY 2011 Budget for utility relocation as part of the Streetscape Project for the amount of \$490,000 to come from existing General Fund Reserves designated for Capital Improvement Projects was approved.
Mr. Killmer stated that the overall future appearance of the downtown area would be fantastic. The under grounding of the utilities will also enable the Town to be eligible to be the recipient of future grants.
- The Town received a grant for \$240,000 from the State of Delaware Energy Office for the design of a state of the art HVAC system for Town Hall, solar arrays for Town Hall and a sophisticated command and control system to control all the new systems. In addition, \$22,000 was allocated to pay for the changeover from metal halide lights to LED lights for our utility relocation.
- Council approved a Contract submitted by Hazzard Electric, Inc., to relocate twenty-seven (27) separate electric, phone and cable installations on eight (8) separate properties on Garfield Parkway for the amount of \$52,146.
- Beginning in October, Town Council meetings will take place at 2:00 p.m. on the third Friday of every month, instead of 7:30 p.m.

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

- Mr. Killmer stated the Planning Commission will consider the Application for Land Partitioning filed by Charles and Bonnie Zonko for the property identified as Block 127, Lots 9 and 11, Ashwood Street 109 and 111 in the R-1 Zoning District during the meeting on October 16, 2010.
- Ms. Mink wished her blessings to family members and friends of Mr. Joseph McHugh, who recently passed away. Mr. McHugh served on the Town Council for thirteen (13) years and was Mayor for eight (8) years.

- Mr. Gaughan questioned if a decision was established to gain ownership of the loop canal, portions of the Salt Pond and banks of the westernmost portion of the Bethany Beach Loop Canal and the westernmost area of the Salt Pond.

Mr. Killmer replied that the Town Solicitor created a list of ten to twelve requirements to be initialed by the current owner, Mr. Rupert Smith, before the Town could possibly agree to accept the donation of the property. The deadline to make a decision by Tuesday, August 24, 2010 is no longer an issue that would cause the donation of the land not to be moving forward.

- Mr. Killmer stated that a meeting at Town Hall was held on Tuesday, September 21, 2010 with Ms. Carrie Subity from the Chamber of Commerce and members of the Bethany Beach business community. All business owners and business property owners were invited to attend. A combination of twelve (12) business owners and/or business property owners participated at the meeting.

Mr. Killmer acknowledged that the meeting was an overall success.

During this meeting, they discussed the consideration of developing a set of programs and events for the “shoulder” seasons.

One issue that was brought forward was that the active hours for parking meters varied throughout the Town. Mr. Killmer said that he suggested to the Town that it would increase tourist growth if all of the meters in the Town had the same time intervals.

Mr. Killmer noted that there were complaints by business property owners on Pennsylvania Avenue that the Town wasn’t giving them the same degree of Town services as those business owners on Garfield Parkway.

- Mr. Killmer mentioned that he, Mr. Dorfman and Commissioner Mr. Stan Mills from Rehoboth Beach visited the Delaware State Solid Waste Authorities recyclable transfer center outside of the Town of Milton on Route 113. He explained that this site consists of only four employees. Bids are requested each Monday for buying the recycled waste and there are currently about five (5) companies that participate in the program.

PUBLIC COMMENT/QUESTIONS FOR THE PLANNING COMMISSION

There were no comments/questions for the Planning Commission at this time.

NEW BUSINESS

There was no new business to discuss.

OLD BUSINESS

Continue to Update the 2005 Bethany Beach Comp. Plan

Mr. Killmer reported that Mr. Mascornick sent the Planning Commissioners a draft of the Comp. Plan, and he reviewed it thoroughly. Mr. Killmer will e-mail the draft to the Commissioners, and he requested the members to review and then send their proposed edits to Mr. Mascornick.

Mr. Killmer explained that Mr. Mascornick is updating the demographic tables in the Comp. Plan.

Mr. Killmer said that he advised Mr. Mascornick to send the updated material to him as soon as possible.

Ms. Frederick noted that, as CRS Coordinator for the Town, she had recently completed re-certification of the program which will allow Bethany Beach residents to maintain their 10% flood insurance cost reduction.

Mr. Killmer acknowledged that he would like all of the information regarding accreditation on the Police Department and Public Safety Department to be in the Comp. Plan.

Mr. Killmer expressed that many sections in the Comp. Plan are in good shape, and advised that the Commission should now focus on areas that need to be addressed.

Mr. Loppatto suggested reviewing the percentages of education levels for possible statistical demographic updates.

Mr. Loppatto questioned how the Comp. Plan should be written so that it captures the attention and is comprehensible by a variety of audiences.

Mr. Killmer advised to review the City of Rehoboth's Comprehensive Plan to see how the issue was dealt with

Mr. Killmer suggested that the following aspect needs to be acknowledged in the Comp. Plan, when considering that fact the Town consists of a large community of retired citizens who will eventually need services as they age and will become more dependent on outside agencies for assistance.

Mr. Gaughan commented that it needs to be anticipated that issues are going to come up and that a lack of action shows resistance.

Ms. Mink noted that there are standing committees that contribute a lot to the Town. She questioned if there is a section in the Comp. Plan to acknowledge these committees.

Mr. Killmer responded that those committees can be recognized in a sub-section.

Update of the Historic Structures Section of the 2005 Comprehensive Plan Document
(Killmer/Young)

Mr. Killmer expressed his appreciation to Ms. Young for all of her help in gaining excellent information in historic structures of Bethany Beach. He is going to send Mr. Mascornick all of the revisions that Ms. Young provided.

Mr. Gaughan noted that Ms. Young did a fantastic job on the historical addition. Mr. Killmer questioned if they should consider adding a sub-section on former structures in the Town that no longer exist.

The Commission agreed that adding a sub-section on former historical structures would be a good idea.

Ms. Young acknowledged that many people find historical structures of Bethany Beach to be very interesting.

The Commission discussed the consideration of requiring a certain percentage of green space on property lots in the future.

Mr. Killmer advised that the Commission should solve this issue in the next Comprehensive Plan, without creating rules that don't comply with houses that are already built. He suggested the commissioners to send him any suggestions that they may have.

Mr. Killmer stated that it is Ms. Mink will no longer be a Planning Commission member after this meeting.

The Commission expressed their appreciation and gratitude to Ms. Mink for her tremendous amount of work that she put towards the Planning Commission for many years.

SUMMARY OF ACTION ITEMS

- A. The Planning Commissioners are going to review and update the Comp. Plan draft that Mr. Mascornick provided and then send it back to him.
- B. Mr. Mascornick is going to update the demographic tables in the Comp. Plan and send them to Mr. Killmer
- C. Mr. Killmer is going obtain the information on the accreditation on the Bethany Beach Police Department and Public Safety Department.
- D. The Commission is going to focus on the sections in the Comp. Plan that need to be addressed and establish goal statements.
- E. Mr. Loppatto is going to review the City of Rehoboth's Comprehensive Plan to see how they wrote it for various types of audiences.
- F. The Commission is going to add a sub-section in the Comp. Plan to recognize standing committees that are very involved with the Town.

- G. The Commissioners are going to send any suggestions they may have regarding a potential requirement for a percentage of green space on each property.

ADJOURN

Ms. Denault made a motion to adjourn the meeting. Seconded by Mr. Gaughan, the motion was unanimously approved.

The meeting was adjourned at 10:37 a.m.

Respectfully Submitted:

Lindsey Shallcross, Admin. Secretary