

**Town of Bethany Beach  
Planning Commission Minutes  
February 16, 2008**

The Bethany Beach Planning Commission held a meeting on Saturday, February 16, 2008 in the Bethany Beach Town Hall, 214 Garfield Parkway, Bethany Beach, DE 19930.

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

Also present: Mayor Carol Olmstead, Councilman Jerry Dorfman, Councilman Tracy Mulligan, 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 9:07 a.m.

**OPENING OF MEETING**

***Approval of Agenda***

Ms. Mink made a motion to approve the agenda. The motion was seconded by Mr. Doyle and unanimously approved.

***Discussion/ Approval of the Planning Commission Minutes of January 19, 2008***

Mr. Doyle made a motion to approve the minutes dated January 19, 2008. The motion was seconded by Ms. Mink and unanimously approved.

***Announcements/ Comments/ Updates***

**Commercial Design Review Update (McClenny/ Killmer)**

Mr. Killmer reported there was no meeting held during the month of February.

**Comments/ Updates Regarding the February Town Council Meeting (All)**

Mr. Killmer noted since everyone who attended last evenings Town Council's meeting was present at this Planning Commission meeting, it was agreed not to recap the highlights of that meeting.

Ms. Mink stated as reviewing and updating the Comprehensive Development Plan there is a section regarding Streetscape. At the meeting, there was a discussion about the modified Streetscape plan will be put on a list of future Capital Projects.

Mayor Olmstead clarified there are a number of projects on the list and they will be prioritized and worked on in the future.

**Update of Planning Commissioners Future Plan Related Projects (All)**

Ms. Mink reported there were certain parts of the draft of the Comprehensive Development Plan that are completed. Areas such as, storm water management and the water plant facility etc.need to be updated with current information from the department heads and committees.

Mr. Killmer suggested waiting until the issue is discussed in a future meeting.

**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**

***§200-41 Streets: Proposed Update to Subsection G cul-de-sac (Eckrich)***

Mr. Killmer gave a brief overview of the proposed update to Subsection G. New language was added to allow different configurations for dead-end streets that followed the recommendations suggested by the State Fire Marshal. Previously all dead-end streets in Bethany Beach had to end only in a cul-de-sac.

Mr. Eckrich reported, after researching the subject and working with different governmental agencies, a draft document with proposed changes was provided to the Planning Commission members for their comments.

Mr. Eckrich also stated the proposed update to this section of the Town Code will automatically change as changes to the state code are approved.

Mr. Doyle made a motion to approve the document as written. The motion was seconded by Ms. Mink and unanimously approved.

The document will go to the Town Council for review and comment and then be sent to the Town Solicitor for review and the creation of an ordinance prior to being placed on a future Town Council agenda.

***Jaywork's Comments Regarding Article V Non-Conforming Uses, Structures and Lots (All)***

Mr. Killmer stated Mr. Terrence Jaywork, Town Solicitor recommended a number of proposed changes to Article V. The changes were incorporated into the document and made available to the Planning Commission members.

After a review and discussion of the recommended changes, Ms. Mink made a motion to approve the amended draft as presented. The motion was seconded by Mr. Doyle and unanimously approved.

***New Proposal Regarding Roof Pitch Minimum Requirements (Mink)***

Ms. Mink stated the Roof Pitch was one component that the Zoning Adhoc Committee (ZAC) recommended because it would be architecturally pleasing and enhance the residential's structure curb appeal of the Town.

The Planning Commission members began to discuss and review the proposed changes to the Roof Pitch Minimum Requirements. Mr. Eckrich is to review the proposed changes and report back to the Planning Commission at the next meeting.

**OLD BUSINESS**

***Follow-up Discussion for Proposed Updates and Name Change Regarding the Design Review Guidelines (All)***

Mr. Killmer provided the Planning Commission members with the new proposed updated document and noted the minor changes.

After using the Bethany Beach Commercial Districts Guidelines for a little over a year, the Commercial Design Committee (CDC) noted that there was a need to fine-tune the document. In addition, the Town Manager and John Eckrich requested that the review by the CDC be extended to include all non-residential structures within the corporate limits of Bethany Beach. The proposed changes/updates were reviewed and approved by the CDC as well as the PC. The major changes involve an updated external lighting section, procedures to replace members of the CDC, the incorporation of non-residential structures as well as prohibiting non-commercial uses in the C-2 Route 26 Commercial Zoning District. In the future the guidelines will be named the Bethany Beach Non-Residential Design Guidelines. Final review and approval will be at that March PC meeting and then will be immediately sent to Jaywork for review prior to scheduling a public hearing.

***Further Discussion of Additional Requirements For PRD/ Subdivisions (All)***

To preserve and to insure that the seven or so remaining large building lots in Bethany Beach are developed to meet the needs of the community as well as the developer/builder, additional requirements were added to the Town Code regarding major and minor subdivisions and planned residential developments. The PC has been working on this for about six months. A final document is being prepared (Rev. C) and will be on the PC agenda in March for final approval. Next is to get permission from the TC for a Jaywork review, ASAP.

*Continue Update of Chapter 245 Starting at §245-45. Permitted Signs (All)*

The Planning Commission members began the review of Chapter 245, Permitted Signs.

**ADJOURN**

Mr. Doyle made a motion to adjourn. The motion was seconded by Ms. Mink and unanimously approved. The meeting was adjourned at 11:30 a.m.

Respectfully Submitted,

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Seville Pettit  
Administrative Secretary

PLANNING COMMISSION  
ACTION ITEMS  
FEBRUARY 16, 2008

1. Mr. Eckrich to provide Town Council or Terry Jaywork with the proposed Changes to Chapter § 200-41. Streets.
2. Mr. Eckrich to forward Jaywork's comments with Planning Commission changes to Council about Article V Non Conforming.
3. Mr. Eckrich to review the Roof Pitch Requirements and provide Planning Commission Members with the information.
4. Mr. Eckrich to provide information on signage for a vacant lot in C-1 and C-2.
5. Mr. Eckrich to provide information regarding Chapter §245-65 Residential Units.