

Town of Bethany Beach
Planning and Zoning Commission Meeting
January 21, 2023

The Bethany Beach Planning and Zoning Commission held a meeting on Saturday, January 21, 2023, at 9:00 am in the Bethany Beach Town Hall Meeting Room.

Present: Mike Boswell (Chair), John Gaughan, Scott Edmonston, Mark Bauernhuber, Diane Fogash, Kathy Shorter, and Susan Frederick (Building Inspector).

Also present: Teresa Tieman (Assistant Town Manager), Molly Daisey (Town Clerk).

Mr. Boswell called the meeting to order at 9:00 am.

Approval of the Agenda

Mr. Gaughan made a motion to approve the agenda. Seconded by Ms. Fogash, the motion was unanimously approved.

Discussion/Approval of the Planning and Zoning Commission Minutes of November 19, 2022

Mr. Gaughan made a motion to approve the minutes. The motion was seconded by Ms. Fogash and was unanimously approved.

Announcements/Comments/Updates

1. The Non-Residential Design Review Committee met on December 15, 2022. The NRDR Committee considered an application from Hallie Burrier, the business owner of "Treaty", requesting approval of a new wall sign and window signs. The business is located at 100 Garfield Parkway, Unit 9, Bethany Beach, DE 19930. The application was unanimously approved.

2. There was a Town Council Meeting held Friday January 20, 2023. Scott Edmonston gave the Commission an update. There was a Special hearing held on town is taking time to respond to questions and concerns on those. Town manager update Beach replenishment will most likely take place during the summer. Starting at Rehoboth in the Spring and working their way down unfortunately. We also adopted the Sussex County Hazard Mitigation Plan. They also amended the Town ordinance to comply with FEMA's requirements for flood protection. Approved the engineering fees for shoreline restoration and stabilization for the Loop canal and for a portion of the shoreline separating lake Bethany from the Assawoman canal.

Mr. Boswell would like to appoint a secretary or make a recommendation. Mr. Boswell would like to recommend John Gaughan as Secretary/Vice Chair. Ms. Fogash made a motion to approve. Seconded by Ms. Shorter. It was unanimously approved.

Public Comment:

Dan Martin at 412 Lekites Ave:

Is there a permit required for moving dirt and trees on 69 Kent Ave?

Ms. Frederick replied that they have to give notice but that's it.

Mr. Martin: Is the owner going to be allowed to bring in topsoil to change the topography so that it drains on to neighboring lots?

Ms. Frederick: They have to meet up with the grades of adjoining lots. It has been checked before and they are compliant. They will check again if necessary.

Is burning of trees allowed?

Assistant Town Manager: The code does not allow open burning.

Gwen Farrugia at 517 Doral Drive: This property is built up high. I don't know where the stormwater is going. The house next door to her and now the lot next to her is higher and will overflow into her lot. She would like someone to address where the water is going to go.

The commission assured her that all lots have to be at the same grade.

New Business:

The Planning and Zoning Commission will consider and possibly vote on an application for partitioning for property identified as Lots 6,8 and 10, Block 113, at 300, 302 and 304 Hollywood Street in the R-2 Zoning District. The owners are requesting that the parcel be partitioned into two lots. The property was approved as a Planned Residential Development for three units in 2002 and it's improved with two units. The current owners wish to dissolve the PRD and to subdivide/partition the property into two lots along the proposed interior lot line that also delineates existing ownership. Mr. Gaughan made a motion to approve the partitioning application. Seconded by Mr. Bauernhuber. It was unanimously approved.

The Planning Commission of the Town of Bethany Beach will consider and possibly vote on an a Application for Partitioning for property identified as Lot 5, Block 140, at 69 Kent Avenue in the R-2 Zoning District. The owners Benjamin and Brea Wang are requesting to partition 69 Kent Avenue into two lots. Mr. Gaughan made a motion to approve the application. Seconded by Ms. Fogash. It was unanimously approved.

Old Business:

A. Brief update from the Comprehensive Plan Subcommittee

The cabinet committee issued an extension to September 30, 2023. Chapters 6, 7 and 8 were shared and they will go to the Town Council after some review and comments. There will be a workshop in February to review that as well. Tentative goals for receiving feedback and distributing it to Sussex County and Ocean View in March. Fine tune graphic design layouts in April. The goal for completion is by the end of summer.

Mr. Boswell would like to bring comments back to the commission and have a full dialogue before it goes to the Town Council. The Commission will join the Town Council at a special meeting/workshop on February 13, 2023 @10:00am to review comments together.

Adjourn:

Mr. Gaughan made a motion to adjourn the meeting. Ms. Fogash seconded the motion, and it was unanimously approved. The meeting was adjourned at 10:19 am.

Respectfully submitted:

Andrea Harpster, Secretary