



The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409
302-539-3011 ~ 302-539-1305 fax
www.fenwickisland.delaware.gov

REGULAR MEETING OF THE TOWN COUNCIL OCTOBER 25, 2019

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Treasurer Bunting, Secretary Merritt, Council Member Carmean, Council Member Houser, Council Member Weistling

Absent:

Vice Mayor Mais

Staff in Attendance:

Town Manager Tieman, Building Official Schuchman, Chief Boyden, Public Works Manager Locke, Finance Manager Gary, Town Clerk Martin

Mayor Langan began the meeting at 3:30 PM.

President's Report

Mayor Langan noted that the application for the Lighthouse Cove Marina has been withdrawn.

The committee selections were announced. Each term will begin on November 1, 2019.

Approval of Minutes

A MOTION was made by Council Member Carmean, seconded by Council Member Weistling, to accept the minutes from the September 27, 2019 regular Council Meeting. The MOTION passed unanimously.

Treasurer's Report

Treasurer Bunting presented the report for period ending September 30, 2019. The accountants have begun the Town Audit. In addition, the Town received \$64,875 in RTT in September. He also noted that there are only a small amount of property taxes past due.

A MOTION was made by Council Member Carmean, seconded by Council Member Houser, to accept the Treasurer's Report. The MOTION passed unanimously.

Town Manager's Report

Town Manager Tieman noted that she participated in the "Ready or Not" Workshop on September 5th and it was very well-attended.

She added that as of today, 8 property taxes are currently past due.

As for the road repairs, APS has finished the repaving and patching of the roads.

There was a meeting with DelDOT this morning in regards to the flooding issue on Route 54 and Route 1. DelDOT will be putting in a drain basin on Route 54 that will lead out to Island Street and

then out through the canal. Test cuts will be done on the area soon. Once the drain is installed, it will be DelDOT's responsibility to maintain.

Approval of Sustainability Plan

A MOTION was made by Treasurer Bunting, seconded by Secretary Merritt, to approve the draft of the Sustainability Plan that was presented at the September Council Meeting. The MOTION passed unanimously.

Department Reports

Building

Building Official Schuchman reported that 18 building permits were issued in September and 3 business licenses were issued.

Public Works

Public Works Manager Locke submitted his report.

Police Department

Chief Boyden submitted his report. For those leaving Town, he requested owners to contact the Police Department or fill out an Emergency Contact Form.

Committee Reports

Ad Hoc Commercial District Planning

Council Member Weistling reported that the Committee will be meeting next week.

Beach

Becka McWilliams reported that the Committee will be meeting soon to begin plans for the 20th Annual Fenwick Freeze.

Business Development

Town Manager Tieman reported that the Committee met earlier in the week and discussed revamping the ad for Fenwick First Friday.

Dredging

Secretary Merritt reported that the Town recently met with Freeman engineers and a site visit is scheduled to be conducted next week.

Environmental

Mary Ellen Langan reported that the Committee met earlier in the week to discuss future projects. The next meeting will be held in January.

Finance

No report.

Pedestrian Safety

Council Member Carmean reported that so far one estimate has been received from an engineering firm and a second estimate from another engineering firm should be received by the end of the month.

The Town is still waiting to hear back from Peter Hague from DelDOT in regards to crosswalks. Council Member Carmean has begun looking at the number of crosswalks in Town and the number of bayside properties that use the crosswalks, along with the available lights and the use of median strips to pause before continuing to cross the street.

Planning

No report.

Technology

Mayor Langan noted there were 37,418 unique visitors to the Town's website over the last year.

Charter & Ordinance

No report.

Old Business

None.

New Business

None.

Upcoming Events and Meetings

Mayor Langan confirmed the upcoming events and meetings as stated on the agenda.

Public Comments in regards to Delaware State Parks/Ørsted

Mayor Langan noted that he is disappointed in DNREC & Ørsted for not including the Town in the process, especially since they have been working on plans for over a year. Since the workshop, held earlier in the month, no one from DNREC has contacted the Town. He encouraged both DNREC and Ørsted to have a town meeting at the fire hall to get everyone's opinion. The Town was provided preliminary drawings which were not to scale. Ørsted did contact Mayor Langan and noted that nothing is "cast in stone". He is opposed to the changes since they are too close to Town.

Each Council Member presented their thoughts on the project:

Council Member Houser – everyone on the Council is opposed as to the way the project was presented. He added that the Council will gather information and then make recommendations to DNREC and Ørsted. He has read the DNREC Charter in regards to preserving natural resources. This project is making the area more like an amusement park and does not fit with the DNREC Charter.

Council Member Carmean – she wrote a letter objecting to this project. There is no economic benefit to Delaware and if the changes benefit Maryland, then they should use the Maryland State Park. She added that Fenwick is supposed to be a quiet resort, not an amusement park. She is worried about health hazards and the negative impact on the environment, and our own health due to electromagnetic fields. The wind turbines they want to install are the biggest ever proposed, and per Town Manager Tieman it was mentioned that at another windfarm site, cabling popped out of the water from the turbines. These changes will also bring in additional traffic to an area that already has problems with traffic. People want to go to a natural beach and not an entertainment site. She is also concerned about the wildlife

and what will happen to them after the construction is done. She has obtained, through FOIA, a Memo of Understanding, which was signed as a "done deal" back in July. She is strongly opposed and does not like the process they used.

Treasurer Bunting – he feels that not enough information was presented at the workshop. The whole project was done underhanded and in secrecy. When the Governor was approached about the project, he said he is leaving it up to DNREC. He does not see the need for a lot of things that are in the plans. He feels the changes being made will ruin the State park instead of enhancing it.

Secretary Merritt – he is against the project. There is no benefit to the Town or residents. The project was planned without any feedback from the residents. There is no advantage at all to the Town.

Council Member Weistling – he is opposed to the project. He is not opposed to increasing parking but does not feel the amenities are needed. A public hearing should be held so concerns can be answered. Additional information is needed as to the size of the buildings proposed.

Paul Breger, 1707 Bay Street

Mr. Breger noted that he is against the windfarm project since it will change the "Quiet Resort". He hopes that the Town can get together with the Association of Coastal Towns (ACT) to oppose the project. It was very "shady" on how the project was planned, especially with the transmission stations and the health impact.

There are 2 principals that should be considered: (1) no wind farms where people can see them since this will cause Delaware to lose tourism revenue, and (2) don't bring electric cables anywhere that is not a Delmarva Power substation. He hopes the Town can stop this project based on these 2 principals.

Mayor Langan noted that the project is not scheduled to begin until 2021 and the windfarm is scheduled not to be installed until 2022.

Mark Tingle, 1605 Coastal Highway

Mr. Tingle noted that the Town needs to hire professional representation to block this project. He does not understand how DNREC could conduct these secret meetings without notification.

Marlene Quinn, 5 W. Houston Street

Ms. Quinn commended Council Member Carmean on her letter published in Coastal Point. F.I.S.H. sent a letter to DNREC on questions that needed to be answered. Ms. Quinn also volunteers with MERR and she knows the harmful damage from wind farms.

Mayor Langan questioned if anyone from F.I.S.H. has heard back from DNREC. Ms. Quinn responded that she didn't know.

Ron Schimel, 6 E. Georgetown Street

Mr. Schimel commented that on the rendering presented at the workshop and online, the net increase in parking spaces is not shown and the average load per car in season is not noted. There were no

elevation drawings presented. DNREC also did not present what screening/buffering would be used to block the view on Lewes Street.

Mr. Schimel also commented that these changes will eliminate any protection to the environment if we have coastal flooding.

On the green roof for the building, Mr. Schimel asked if that would cause damage to our health and safety. It was also not presented on how the transmission lines would be plugged in and what they would look like.

Since the State is getting \$18 million from the installation of the windfarm, Mr. Schimel asked what portion of this money is being allocated to the State Park improvements.

He does not see how this project could positively affect Fenwick Island.

Representative Ron Gray

Council Member Weistling asked Representative Gray if he knew about this project. Representative Gray responded that he was unaware until the end of July, when he met with Ray Bivens and Lauren Weaver. When he received the information, it seemed like something was already decided. He agrees that a larger public meeting is needed where questions can be answered.

Mike Quinn, 5 W. Houston Street

Mr. Quinn noted that the proposed area is controlled by the State, so the Town has no say when it comes down to it. Our Senator should be more involved instead of Fenwick Island. Representative Gray responded that the State Park area does need to be upgraded, especially the parking since the traffic backs up on Route 1, which is a safety issue. Town Manager Tieman commented that along with the safety issue, the impact to the Town was not taken into consideration, as this project will impact the bay with additional kayaker and will impact the area with more drainage issues.

Mayor Langan noted then when the Town's original Comprehensive Plan was done, one of the objectives was that nothing could be built in the watershed around Fenwick Island without the Town being involved.

Jim Simpson, 1 E. Lewes Street

Mr. Simpson asked if the County is involved with this project. Council Member Carmean responded that she has contacted Sussex County Councilman John Rieley who informed her that the County has no say since it is a State project.

Patti Breger, 1707 Bay Street

Ms. Breger commented that the Friends of Fenwick will be holding a meeting tomorrow morning at 9:00 a.m. to discuss information and to try to organize a group to stop this project.

Janet Hess, 24 W. Farmington Street

Ms. Hess noted that Amy Kyle is still collecting information on behalf of F.I.S.H. She will be back in Town on Tuesday. DNREC still has not gotten back to F.I.S.H.

Colleen Wilson, 1801 Coastal Highway

Ms. Wilson commented that this whole process has been non-transparent and objects to the project.

Buzz Henifin, 48 Windward Way

Mr. Henifin commented that some kind of organization is needed to oppose this project. Ms. Wilson added that at the meeting tomorrow she hopes that some kind of group will be organized.

Julie Lee, 703 Bunting Avenue

Ms. Lee noted that with those present at today's meeting, it shows that the Town is clearly making a statement in opposition. She added that she agrees with Mr. Henifin that some kind of organization is needed showing that we are united. Legal representation is also needed.

As for the underground substation for the windfarm, it was not noted at the workshop on where that would be. Mayor Langan added that originally the substation was going under the proposed parking garage, but he is now hearing that it will be located on the bayside.

Anne Hodges, 1303 Bunting Avenue

Ms. Hodges thanked the Town Council for voicing their opinions and allowing residents to speak.

Council Member Houser commented that he spoke to Ray Bivens and asked him for specific plans as to wildlife, flora, parking lot, and visual berms, and has heard nothing back. Council Member Weistling added that he asked where the property line was from our residences and has not heard anything.

Representative Ron Gray

Representative Gray commented that he will work with Senator Hocker on trying to schedule an open forum at the Roxana Fire Station in the next 5-6 weeks. He agrees that it was wrong how DNREC went through with this project and it is not a "done deal".

Adjournment

A MOTION was made by Council Member Weistling, seconded by Secretary Merritt, to adjourn the meeting. The MOTION passed unanimously and the meeting adjourned at 4:28 PM.