



# The Town of Fenwick Island

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## AD HOC COMMERCIAL DISTRICT PLANNING MEETING JANUARY 22, 2020 AT 2:00 PM

### MINUTES

#### In Attendance

Richard Mais, Faye Horner, Reid Tingle, Bill Weistling

#### Absent

Winnie Lewis

#### Also in Attendance

Jeff Schoellkopf, Terry Tieman, Pat Schuchman, Linda Martin

Richard called the meeting to order at 2:00 PM.

#### Approval of Minutes

Richard noted changes to the minutes: the next to the last sentence on page 1, bands need to be changed to fans and on page 2, in the last sentence, taking needs to be replaced with taken.

A motion was made by Reid, seconded by Bill, to approve the minutes from the November 21, 2019 meeting as revised. The motion passed unanimously.

#### Discussion

Jeff noted that all items discussed at the previous meeting were incorporated into the draft guidelines, appendix, and zoning change handouts that will be presented today.

#### Zoning Changes:

Jeff recommended that porches, bay/bow windows, cornices, eaves, gutters, chimneys, steps, and entries be allowed to extend up to 2' to break up the "boxier" buildings, but still maintain the 15' front setback. Bill noted that this change should also include no greater than 10' above height and for space to be added between each bay/bow window. Jeff questioned if steps and ramps should be allowed in the setback area to encourage accessibility. Bill replied no, but if they are allowed in the setbacks for commercial, then they should also be allowed for residential. As for sidewalks, Jeff encouraged the installation of wider sidewalks with 2-3' onto the property with added landscaping. He also suggested that additional parking be allowed on the property between the side yard setbacks.

As for height, Pat noted that the Code states that the height is measured from the highest point of the road. Jeff noted that most municipalities measure from either the base flood elevation or the freeboard for flood safety. Jeff also suggested to measure the grade at the property line. Richard replied that height measurement should be brought to the Town Council to pursue. Jeff also suggested that for a non-habited roof area that a sloping element could be allowed to go above the height by 4.5'. Jeff noted that for all, he added that approvals are needed from the Planning Commission. Bill noted that right now any changes go straight to Charter & Ordinance and the Building Committee but also sending to the Planning Commission is something to consider.

For the flood zone, Jeff suggested changing the mandatory freeboard from 12" to 24". Since FEMA requires not going above the surrounding grade, Jeff asked for clarification on the how to determine the surrounding grade. Pat replied that it is for the AO zone only which FEMA requires 2', but in Town that only affects the rear of the

commercial properties across the street. Jeff then questioned that since FEMA requires 2' over grade in the AO zone does the freeboard get added to that. Pat replied yes, it is 2' plus the freeboard.

As for parking, Jeff noted that our current code is fair compared to other towns. He suggested no changes to the number of parking spaces but did suggest making compact spaces a little bigger. Reid questioned if compact spaces should be labeled. Jeff replied that they should have signs noting compact vehicle parking in those spaces. Jeff also added a 2' extension at the end of the parking lot for the end parking space to be able to maneuver their vehicle out of the parking space.

Jeff requested more information from the Town on what they prefer to recommend or require as to landscaping. Pat noted that the Committee agreed that Leyland cypresses should not be allowed due to their growth height and their root base.

Jeff recommended that in the Code, the types of mechanical equipment should be listed. He added that screening to buffer the mechanical equipment visually from the neighbors is recommended along with locating the equipment a minimum of 25' from the residential zone. Pat noted that the current code is only 6' from the residential zone. Reid thought that the 6' was just for the rooftop units.

Jeff took the recommendations from the public comments into consideration and the only way to measure the dB levels would require a measuring device along with someone trained to use the device. Bill suggested that it could be recommended that all new mechanical equipment installed not be over a certain dB. Pat noted that the noise level of mechanical equipment was originally in the Code but it was changed to not allowing any excessive noise from 12:00 a.m. – 6:00 a.m. She added that commercial requirements could be listed as different from the residential requirements. Richard noted that the noise differs from summer to the off-season. Pat noted that noise is covered in Chapter 107 of the Code, in which Jeff commented that he will review and recommend changes, in particular with new equipment.

As for the process, Jeff noted that in previous discussions it was mentioned about receiving other approvals before the Town approval. He added that in Rehoboth Beach, no one can submit plans without prior approval of the Fire Marshal. Bill added that the Town gives preliminary approval with drawings and does not require the Fire Marshal approval.

Jeff then reviewed the draft of the guidelines. He noted that he would like more historic information (on page 5) and more examples/photos (on page 8). Reid commented that on page 12, the line about encouraging 2-story buildings should be removed. Jeff replied that he would remove encouraging 2-story buildings on page 12 as well as page 14. On page 34, Jeff will remove the 3'. On page 35, Jeff will provide more illustrations on parking. Pat noted that on page 36, it should include that lighting needs to be shielded or filtered. Pat also commented that on page 37 on fences for screening, the Code requires no less than 6' nor more than 7' at the rear of property, with the first 15' no greater than 4' in height on the side of the property. Jeff questioned if dumpsters require screening. Pat replied that the Code requires dumpsters to be on a concrete pad, but it is encouraged for them to be screened. On page 38, Jeff questioned the usage of loading zones. Richard replied that the Town does not have them in the commercial zone since there is no room to have a loading dock.

#### Next Meeting

Terry suggested having a Council Workshop to review the draft of the design guidelines. Richard noted that the Workshop will be scheduled sometime in March.

#### Adjournment

A motion was made by Bill to adjourn the meeting. The motion passed unanimously and the meeting adjourned at 4:20 PM.