



# The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409

302-539-3011 ~ 302-539-1305 fax

www.fenwickisland.delaware.gov

## Charter & Ordinance

April 25, 2022

### Meeting Minutes

#### Meeting held via Hybrid Method

Members Present: Natalie Magdeburger, Jacque Napolitano, Ann Riley, Roy Williams, Mike Quinn, Jay Ryan, John Nason, Pat Schuchman

Meeting called to order at 9:08 a.m.

*Mike Quinn made a **MOTION** to approve the minutes from April 25, 2022 with one correction to paragraph a (5) (c) should read 85 decibels and not 80. Ann Riley seconded.*

***MOTION passed unanimously.***

1. Follow up/Status:
  - a. Pods—offered and accepted for first reading at Council Meeting. Second reading will be the May Town Council Meeting
  - b. Timing and swearing in/organization meeting—tabled for action at later meeting.
  - c. Mechanicals—Ann Riley presented.
    1. Proposed additions to definition section reviewed and commented upon by committee members.
    2. 160-5 Commercial Zone modifications offered and discussed.
      - i. Mechanicals with minimal visual exposure and property lines may be too vague and suggestions to make language more definitive.
      - ii. Mechanicals on the roof if possible.
      - iii. Anchor from a point of reference—rear protections. Within 50 feet from rear property line would provide some protection to the residents that border the commercial zone.
      - iv. Natalie Magdeburger and Ann Riley will work on clarifying language for next meeting.
  - d. Towels on bannisters—Jacque Napolitano presented.
    1. No neighboring towns have ordinances banning towels, except private gated community.
    2. Jacque Napolitano thought it would be untenable for Fenwick Island to pursue and would be difficult to enforce. She recommends not pursuing any restrictions on towels on bannisters. Committee members agreed.
  - e. Dumpster –Ann Riley presented.
    1. Reviewed language and all committee members thought the proposal was ready to be presented to Town Council for consideration.



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Mike Quinn made a **MOTION** to send the proposed ordinance to Town Council for first reading. Jacque Napolitano seconded. No public or committee discussion.

**MOTION passed unanimously.**

- f. Historic Residence preservation---update by Natalie Magdeburger as to the status and she reported that the hearing was held without any objections. Town Council passed the ordinance on the second read. There were only 4 properties in Fenwick which had the old cottages with two buildings and the new ordinance should make it easier for those cottages to be maintained in the future.
- g. Parking in the Commercial District—Natalie Magdeburger and Roy Williams presented. Committee agreed that parking is a problem in Fenwick. Committee was advised that there is an Ad Hoc Parking committee formed to help identify solutions to the current parking problem for the commercial zone. Natalie Magdeburger advised that there were only about 122 public parking spots and that pushing commercial parking into the residential zone would not be sufficient to solve the parking problem in the future. Committee discussed need to make sure that required parking was truly adequate parking for future builds or substantial renovations. Natalie and Roy presented information regarding the Sussex County standards for parking, which Ocean View follows in large measure. Committee agreed that the parking ratios referenced by Sussex County created more adequate parking than the current ordinances.
  1. For HOTEL/MOTELS--MOTION FOR PARKING FOR HOTELS 1.5 PER ROOM AND 1.5 FOR EVERY 10 ROOMS. ACCESSORY USES, SUCH AS RESTAURANTS AND MEETING ROOMS SHOULD BE ADDED PER THE TYPE OF ACCESSORY USE. Meeting rooms and banquet rooms, hotel restaurants should be considered additional Restaurant/Eateries.

Ann Riley made a **MOTION**. Jacque Napolitano seconded.

**MOTION passed unanimously.**

2. RESTAURANT/EATERIES—1 per 50 feet of total patron area.

Ann Riley made a **MOTION**. Roy Williams seconded.

**MOTION passed unanimously.**

3. Restaurants---how to measure --change to include measuring outside service areas when measuring space. Count all for patron area, including outside service areas and bars, except kitchen, storage area and bathroom.

Ann Riley made a **MOTION**. Jacque Napolitano seconded.

**MOTION passed unanimously.**



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4. Retail store parking ratio—1 per 200 square feet of floor area /retail stores and markets, except for Farmer's Market-

*Ann Riley made a **MOTION**. Jacque Napolitano seconded.*

***MOTION passed unanimously.***

5. Make definitions accessory uses such as Banquet rooms or meetings with hotel, shall be treated as Eatery/Restaurant for purposes of parking ratios.

*Roy Williams made a **MOTION**. Ann Riley seconded.*

***MOTION passed unanimously.***

- h. Tax Rate Rentals—Natalie Magdeburger presented and thinks should refer back to Budget and Finance Committee. Ann Riley believes some thought should be made to determine what would be revenue neutral when formulating rates.

*Ann Riley made a **MOTION** to refer to Budget & Finance. John Nason seconded.*

***MOTION passed unanimously.***

2. Update on General Code-NCM gave update. Process has started and Natalie and Pat will run through the first 110 questions from General Code and bring to the committee any areas of discretionary discussion. Committee agreed with that approach.

3. New Business—none.

4. Public Participation

Janice Bortner—questioned with new construction whether grease pits can be put underground as part of the mechanicals. Placement of gas tanks—will that be considered. Janice also said that some residents have suggested that parking in front versus parking that is close to the rear property line may be better since mechanicals screened and may be on the roof. Jacque shared that there is a vegetative buffer in the rear property line and it would be better to push the building envelope closer to Ocean Highway as opposed to pushing parking along Ocean Highway.

*Mike Quinn made a **MOTION** to adjourn at 11:29am. Jacque Napolitano seconded.*

***MOTION passed unanimously.***