



## MESSAGE FROM THE MAYOR JANUARY 2024

*"Every sunrise is a poem written on Earth with words of light, warmth and love."  
--Debasish Mridha*



### **FIRST 2024 FENWICK ISLAND SUNRISE.**

COURTESY OF JOHN NASON.

*-First Fenwick sunrise of 2024 by John Nason*

**HAPPY NEW YEAR FENWICK ISLANDERS! 2024 has officially begun.**

### **UPDATE ON US WIND PROJECT:** In

December, Governor Carney announced that he would begin negotiations with US Wind to lease the 3R's Beach in Delaware Seashore Park (south of Indian River inlet) for \$350,000 a year as a landing place for US Wind's cables. In addition, US Wind will pay the State benefits totaling \$40 million dollars. The term sheet can be found here: [US-Wind-Term-Sheet\\_001.pdf \(delaware.gov\)](#)

DNREC produced a report which supports the development of windfarms off the Delaware coast, finding that wind energy is consistent with Delaware's Climate Action

Plan. DNREC's report can be found here: [Proposed-Offshore-Wind-Procurement-Strategy-20231229.pdf \(delaware.gov\)](https://delaware.gov/documents/2023/12/29/Proposed-Offshore-Wind-Procurement-Strategy-20231229.pdf)

In addition, US Wind purchased the 142 acres around the old power plant for \$20 million dollars.

BOEM continues to move forward with the permitting process. If the permit is granted, the view from the beach at 84<sup>th</sup> Street in OC at dawn will be as set forth below (from BOEM's site):



VIEWING INSTRUCTIONS: To approximate the field of view represented by a 14.5" single frame simulation captured with a 50-mm lens it should be printed on an 11" x 17" sheet of paper and viewed from 21 inches away<sup>1</sup>. If viewed in a digital format (i.e. on screen) then similar size and distance should be used. In all cases care must be taken to not over or underrepresent the visual contrasts<sup>2</sup>. See Sheet 1 for citations.

6. 84<sup>TH</sup> STREET BEACH, OCEAN CITY, MARYLAND  
SINGLE FRAME (50-mm LENS) SIMULATION, MORNING (6:22 AM)  
Maryland Offshore Wind Project Visual Impact Assessment Simulations

Sheet 5



To see a video simulation of 84<sup>th</sup> Street as it is expected to look throughout the day, go to: <https://youtu.be/M3kwxD-IxGg>

The view from the beach at Bethany Beach at 9:20 a.m. will be as below (from BOEM's site):



VIEWING INSTRUCTIONS: To approximate the field of view represented by a 14.5" single frame simulation captured with a 50-mm lens it should be printed on an 11" x 17" sheet of paper and viewed from 21 inches away<sup>1</sup>. If viewed in a digital format (i.e. on screen) then similar size and distance should be used. In all cases care must be taken to not over or underrepresent the visual contrasts<sup>2</sup>. See Sheet 1 for citations.

**15. BETHANY BEACH, DELAWARE**  
**SINGLE FRAME (50-mm LENS) SIMULATION, MORNING (9:20 AM)**  
Maryland Offshore Wind Project Visual Impact Assessment Simulations

**Sheet 5**



US Wind also announced the offer of a “Community Benefits Package” to Henlopen Acres, Rehoboth Beach, Dewey Beach, Bethany Beach and South Bethany Beach. The offer entails a payment of \$20 million dollars over a 20-year term, or \$100,000 per town per year. In return, the towns “will not exercise discretionary authority to obstruct or delay development of the Projects.” If the towns terminate their participation, the town “shall return to US Wind the value of their pro-rata share of the payments for the prior two years.” The towns participating in the agreement hired a consultant, Bonnie Ram, to negotiate this agreement and have been working on a package since the summer of 2022. The agreement can be found here: [Community Benefit Agreement \(townofbethanybeach.com\)](http://townofbethanybeach.com)

Fenwick, along with Lewes, affirmatively opted out of participating in the Community Benefits Package with US Wind.

In the summer of 2022, ACT (Association of Coastal Towns—Henlopen Acres, Lewes, Rehoboth, Dewey, Bethany, South Bethany and Fenwick) sought approval to hire a consultant, Bonnie Ram, to negotiate a benefits plan for the coastal communities. Fenwick’s Town Council voted in October 2022 to decline to participate in hiring Ms. Ram and requested that none of Fenwick’s dues to ACT be used to pay for the consultant. We believed then, as we do now, that as advocates for our community we need to be able to speak freely, openly and without restriction to raise questions and seek answers to how wind farms will affect our community.

Fenwick is seeking complete and unbiased answers to three major categories of concern:

- (1) What will these wind farms truly do to our marine environment? We have been warned that an acre of cement on the ocean floor for each platform, noise reaching decibels that adversely impact our marine life and blades rotating in migratory bird patterns needs very careful and thorough analysis from scientific groups who have not taken donations from those involved. Centers for Inland Bays, a gatekeeper in Delaware, has admittedly taken donations from the wind farm companies before deciding to return a \$100,000 donation for a new building and the former director resigned to take a consultant role with the wind farm companies. Whales, dolphins, birds, horseshoe crabs, fish are all expected to be adversely affected. In fact, US Wind recently filed a request for Incidental Take Regulations of marine mammals over the course of 5 years (2025-2026) because of construction activities including pile driving and site assessments using high-resolution geophysical equipment. Ocean City hired experts with scientific backgrounds who undertook an independent analysis of the Draft Environmental Impact Statement and raised questions regarding the methodology and assessment. They also recommended further study. We would like to see a more thorough and unbiased assessment before moving forward with a project that could adversely impact our marine environment.
- (2) What is the true economic cost? Will the turbines affect tourism/property values? Some economic projections suggest a 10% loss of property values and a large loss of tourism dollars/local jobs. In addition, many of the experts are stating that electricity generated will be much more expensive than what is being projected. Who pays for the removal of the turbines once they become obsolete? Who pays for damage that may occur if the turbines break apart during a storm and wash up on the beaches or kill birds or marine life that wash up on our shores? How will these turbine affect our commercial and recreational fishing industry? Ocean City is pursuing independent analysis of some of these issues but not all the answers are in –we should take the time to find the answers.
- (3) How will these wind farms impact our military coastline security? Placing platforms owned by outside foreign entities that can be transferred to other foreign entities 20 miles off our coast, with control over our power grid and which adversely impede radar and sonar capabilities for our military and Coast Guard needs to be fully addressed to ensure our overall safety.

While Fenwick agrees that green energy needs to be part of our future; there are a lot of unanswered questions still swirling around the US Wind Project and a lot of money

being offered to gatekeepers to get a greenlight for the project. Unfortunately, money sometimes gets in the way of the truth and, in this case, most surely would be passed onto the consumer. We should insist on an unbiased truth. As such, we have aligned Fenwick Island with Ocean City's efforts.

As advocates for our community, Fenwick's Town Council believes our future deserves taking whatever time is necessary to get a thorough unbiased and complete analysis before Delaware commits to forever altering the pristine nature of our ocean environment and making us the last generation to see a natural sunrise from our shores.

If you wish further information, please attend the Environmental Committee meetings and find out ways you can get involved.

**DREDGING UPDATE:** In May 2023, the Town filed four dredging permit applications (3 with DNREC and 1 with US Army Corps of Engineers "USACE"). In mid-December, we received formal approval of all 3 permits from DNREC. Importantly, DNREC did not place any restrictions on when the town would be allowed to perform the actual dredging. However, around the same time, we were told that USACE expects to issue its single permit with the typical dredging window restrictions (cannot dredge between March 1 and Sept 30). After multiple discussions and exchanges of information, we received informal notification that we would be allowed to begin dredging on Sept 1 (which really means the Tuesday after Labor Day).

We are still awaiting the final USACE permit so nothing is final until that permit is formally issued. If that permit is consistent with our expectations, we feel confident that we can successfully complete the dredging project before the end of 2024. Once we receive this final permit, we will begin the formal RFP/bid proposal process to select a contractor as well as complete the land access agreement for placement of the dredged material.

**ROUTE 54 BRIDGE REPLACEMENT PROJECT UPDATES:** DelDOT announced that final plans regarding the design of the bridge will be announced during the spring. See: <https://deldot.gov/projects/index.shtml?dc=details&projectNumber=T202007303>

**CHARTER & ORDINANCE UPDATE:** The Committee is researching and discussing several referrals received from Town Council including: (1) a review of the noise ordinance; (2) a request from St. Mathews by the Sea to allow electronic message boards that meet Dark Skies' guidelines; (3) converting certain ordinance violations from misdemeanors to civil fines; (4) requiring the removal of all construction equipment within a time certain from the grant of an occupancy permit; and (5) drafting an ordinance to adopt the 2023 Comprehensive Plan. Please feel free to contact any



member of the committee if you have questions or wish to express your thoughts or plan on attending a meeting to share your views or to learn more about the topics.

**POLICE DEPARTMENT UPDATES:** Town Council approved purchasing the Lexipol Police Procedures Manual. This is an online procedure manual utilized by many surrounding jurisdictions, which updates automatically with any new court decision and is vetted by police and legal personnel throughout the State. The last time the Police Procedures Manual was updated was in 2012.

In keeping with Chief Morrissey's vision of community policing, Chief Morrissey was awarded a grant to begin a bike patrol next summer to supplement our highway presence. The grant will provide for equipment for three bicycles and equipment as well as overtime to run the program.

Town Council also unanimously approved Chief Morrissey's request to upgrade the Tasers as the ones that were being used were early generation models which were difficult to service. Training for using the new Tasers will begin at the end of January.

Highway patrols have focused on being seen in the medians and in parking lots bordering the highway around town to proactively reduce speed throughout the town and the police vehicles have all been marked with the new department motto of "Safe and Strong Together."

In addition, Chief Morrissey has been conducting traffic studies in various locations throughout town to identify problem areas and target enforcement.

PFC Cam Clifton was nominated by Chief Morrissey for the Freeman Heroism Award because of his response to the accident that occurred at Southern Exposure. PFC Clifton responded to a call from Southern Exposure when a vehicle crashed through the building's exterior, traveled through the building and pinned an employee at the rear of the building.

**TOWN COUNCIL PASSED ORDINANCE THAT PROHIBITS MARIJUANA SALES:** Town Council unanimously an ordinance that will prohibit retail marijuana establishments in town.

**FENCE FOR THE MONARCH POLLINATOR GARDEN:** The black aluminum fence for the Monarch Pollinator Garden planned at the north end of Bunting Avenue has been installed and work is underway to make container gardens and install a bench.

**UPDATES AT TOWN HALL:** All painting and new flooring in the administrative office side of the building has been completed along with a new ramp and steps in the front and painting on the exterior of the building. New Town Hall signs are in and will be installed shortly. Please stop by and see the updates!

**TREASURER'S REPORT:** The Town continues to have very strong cashflows through the Fall and early winter of 2024. As of November 30, the town's cash balance remained at a record level of \$5.5 million. Operating revenues and expenses for this period were consistent with expectations and the annual budget. The town also reported RTT revenues of \$278,000 through November 30 which have already exceeded the full year budget of \$225,000.

**INFRASTRUCTURE UPDATE:** Town Council approved the re-striping of our streets. Work will start in early May to be completed prior to Memorial Day. We are looking for a different color of yellow that perhaps will not fade as quickly.

The backflow valves have been placed in drainage pipes throughout Fenwick. The purpose of the backflow valves is to help prevent water backing up from the canals into the drainage pipes and onto the streets when the tide rises. It basically "shuts off" the pipe from the bayside when water begins to back up into the pipe and then releases to allow drainage of the water on the street once the tide recedes. For major flooding events (bay breaching the bulkheads), the valves are not able to help drain the water from the street until the tide recedes. However, once the tide recedes, the valves appear to be helping drain the water from the street more quickly. These are not a solution for preventing flooding but rather a mitigation tool.

Public Works has also inspected and "blown out" drainage pipes; however, these pipes can become quickly blocked again so if you suspect that the pipe is not draining appropriately, please call Public Works. We are committed to making our ability to mitigate flooding with the tools we have, work to the best of their abilities. However, further solutions are going to take more work.

This fall a working group of the Infrastructure Committee measured all the lots and bulkhead heights throughout town. This work gives us data to use with the next phase of Resiliency planning and projects as we have a full map of heights of property and bulkheads versus sea level.

In December, the Infrastructure Committee submitted Request for Information to engineering companies to provide pricing for a detailed engineering study to help answer exactly what will need to be done to further mitigate the flooding and/or prepare for expected rising normal high tides (a/k/a "resiliency"). We have two issues that we are confronting: (1) how do we combat the flooding we get from storm surges that we are experiencing in greater frequency ("storm surge mitigation"); and (2) how do we use those same tools to prepare us for the time when a normal high tide will overtake our infrastructure even without a storm surge ("resiliency to sea level rise"). Will we need to begin to raise bulkheads; if so, how high and over what period of time? Will we need to discontinue boat ramps; if so, over what period of time? Will we need to create berms; if so, where, how high and what material? Will we need to

create a seawall in areas that are now rip-rap; if so, where and will we be permitted to do so due to DNREC regulations? If we create a higher uniform sea wall throughout town with bulkheads and berms, how will we disburse trapped water during storm events? Will we need pumps; if so, where and what type? Can we create a plan that will comply with DNREC rules and regulations given our storm water runs into the bay? How much will the work that is necessary cost? How should we phase the projects? What code changes may we need to effectuate to ensure a plan that protects against the tidal surges, storm events and predicted sea level rise? Flooding in our community is frustrating and annoying. At times, it may seem that there is an “easy” solution; however, the Infrastructure Committee, with many engineers and community planners, understands that with every action there is a reaction that could make things more difficult. We need to find answers from engineers who specialize in flood mitigation/resiliency so that we know what we are doing is the right solution that will work.

Five engineering companies submitted proposals and the Infrastructure Committee is currently reviewing the proposals. Costs range in price from \$250,000 to almost \$500,000. Yes, it is a lot of money; however, with the increasing storm events that cause widespread flooding, this is an expense that will be necessary to incur to get real solutions.

Regarding cost, through the assistance of the Planning Commission, the Infrastructure Committee is working with a grant writing group from the University of Delaware, who has identified and is working with us to submit a request for federal funding for a portion of the project. The University of Delaware grant writing team does not charge for their services and we are very thankful for the assistance that they are providing. The good news is that we are moving forward to find the right experts and are working to find ways to pay for the right experts with available federal funding opportunities. The other good news is that we are working hard to stay first in line.

**RESIDENTIAL CONCERNS COMMITTEE:** The Residential Concerns Committee is discussing two initiatives: Dark Skies to mitigate light pollution and creating green infrastructure through tree canopies. They are also discussing an initiative to place benches along Bunting Avenue and expect to bring the bench initiative to Council during the January meeting. At the most recent meeting the RCC had a discussion concerning a streetlamp that was on Schulz Road and received confirmation that the town had contacted Delmarva Power to work toward shielding the lamp and finding solutions. Contact Council Member Janice Bortner [jbortner@fenwickisland.org](mailto:jbortner@fenwickisland.org) for more information about the RCC or if you want to get involved in the committee’s work with their goal of preserving and protecting the quality of residential life in Fenwick.

**PLANNING COMMISSION:** At the December meeting, Town Council approved the submission of the 2023 Comprehensive Plan. The Plan has now been submitted to the



State for approval. Once the State approves, the Town Council will be asked to pass an ordinance formally adopting the plan.

In addition, the Planning Commission has created a relationship with University of Delaware's grant writing team to assist Fenwick, at no cost, in identifying and requesting grant money for projects as well as a procedure for our committees to utilize for requesting the assistance. The Planning Commission was granted authority from Town Council to oversee and coordinate all grant writing activities of the Town during the December meeting.

**NEW BETHANY BEACH FIRE DEPARTMENT AMBULANCE CONTRACT:** We are pleased to announce that we have agreed to terms on a new three-year contract with Bethany Beach Fire Department for ambulance services in Fenwick. The annual cost will be \$60 per household and will cover owners, residents and their immediate family members as well as business owners and their employees. The agreement provides that the BBVFD will accept whatever insurance coverage exists for the cost of an ambulance ride and will not seek any reimbursement above that amount. Anyone renting in Fenwick will not be covered by the agreement and will be billed at standard rates.

**TOWN MANAGER SEARCH UPDATE:** Town Manager Pat Schuchman announced that she will be retiring in April 2024, after 27 years of service to the Town. Pat started as a clerk and served as the Building Official before taking the helm as Town Manager in October 2021. We will surely miss her.

A search for a new Town Manager has begun. The town received over 40 applications and has completed the first round of interviews. A second round of interviews will be conducted before selecting a new Town Manager.

**DNREC UNDERTAKING A STUDY TO ASSESS WHETHER BEACH TOWNS SHOULD PAY PORTION OF BEACH REPLENISHMENT:** DNREC is conducting an economic study to explore the range of economic benefits provided by beach nourishment and to develop cost-share ratios needed to maintain Delaware's shoreline. The coastal towns uniformly do not believe this study is necessary and that the State of Delaware should continue to fund beach nourishment without local municipality cost sharing. However, DNREC has indicated that they will be seeking municipal contributions. A virtual meeting by DNREC on this study will be held on January 18, 2024, at 6:00 pm. If you wish to join, please pre-register as it is a requirement to attend: [dnrec.delaware.gov/events/public-meeting-economic-analysis-for-shoreline-management/](https://dnrec.delaware.gov/events/public-meeting-economic-analysis-for-shoreline-management/)

**TAX REASSESSMENT UPDATE:** Tyler Technologies, the group hired by the State to undertake a reassessment advised us that they have completed 81% of Sussex County and are moving to the Milton/Rehoboth area. They wanted us to remind everyone

that their data collectors work Monday through Friday, 8-4:30 and do not ask to go into your home. They also wear a bright yellow vest and have a photo ID.

**FENWICK FREEZE GREAT SUCCESS:** THANK YOU to all the Fenwick Islanders who came out to take a dip in the ocean on January 1<sup>st</sup> to benefit the Fenwick Island Beach Patrol. Thank you also to the Beach Committee who organized the event. Go to our Facebook page to watch the plunge and view additional pictures taken of the participants.



Please feel free to reach out to any Town Council member if you have any questions or concerns. Let's come together and make 2024 a great year!

Regards,

Natalie Magdeburger  
Mayor/President of Fenwick Island Town Council

+++++

We need your help to continue to keep you timely informed of Fenwick activities.

If you are getting our email updates, please make sure to "whitelist" our address as some of the providers like to mark the updates as spam and are sending our materials to your spam folder.

If you do not have an email address, please contact Town Hall and let us know to mail you the updates.

Starting in January 2024, we will mail to those who have affirmatively asked for the updates to be mailed via USPS so that we can cut down on mailing costs.

Last, if you know of someone not getting our emails, please forward this one to them and have them call Town Hall to get onto our list.