



# The Town of Fenwick Island

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## RESIDENTIAL CONCERNS COMMITTEE MEETING

December 2, 2024, at 10:00 a.m.

Town Hall

## MINUTES

**Members Present:** Janice Bortner, Deborah Cowell (Zoom), Rose Mary Hoy (Zoom), George Stone (Zoom), Kate Norman (Zoom), Stu Rubenstein (Zoom), Sharon Harris (Zoom)

**Other Participants:** Natalie Magdeburger, Ann Riley (Zoom), Susan Brennan (Zoom), Two other unknown participants (Zoom)

**Staff:** Kathy Grab

Flag Salute & Call to Order at 10:01 am

1. Welcome Guest Doug Hudson, Sussex County 4<sup>th</sup> District Councilman
  - a. Due to unforeseen circumstances, Doug Hudson will need to be rescheduled to another time.
    - Rose Mary Hoy understands that Sussex County is now starting their next comprehensive plan and there currently there is nothing relative to lighting. Janice Bortner stated that there are sections regarding lighting, it includes street lighting. Rose Mary Hoy stated that while streetlights are critical because they are the primary source of light pollution, the bottom line is the issue of lighting is generally not a priority.
    - The suggestion by Rose Mary Hoy was to go to Sussex County Council to discuss current issues rather than inviting them to our meeting as there are new members just recently elected in, we can talk to more people there and make it more convenient.
    - Janice Bortner indicated she has had other communities or organizations interested in the DarkSky Initiative and thought of a larger forum in the spring and inviting the interested communities to participate. However, Doug Hudson had told her that he did not receive much interest from the Sussex County Council after their last meeting.
    - Janice Bortner will reach out to Doug Hudson to see about a time to reschedule or speak with him about meeting with more members of the council there. Rose Mary Hoy stated that maybe we should set a date to get an audience there as a larger group to have these conversations with them.

- George Stone wanted to reiterate that they should reach out and find out who the group needs to speak with at the Freeman Group or private developers. We need to contact them soon to discuss their lighting choices before they make a choice of lighting. He thinks the private sector is an important factor.
- Natalie Magdeburger stated her concern with the current discussion of DarkSky Initiatives because there was no motion on the table but the RCC Committee went straight to discussion. Further, the proper Committee to discuss DarkSky principals in regard to Fenwick would be the Ad Hoc DarkSky Committee. The other concern is that the Town Council has not yet adopted a policy to endorse any particular DarkSky principles and we need to be careful about advocating an outcome without a Town Council mandate. Town Council authorized the Ad Hoc lighting committee and has approved, through Comprehensive Plan the goal of educating Fenwick residents about what DarkSky principals are, to help with developing a written questionnaire to see what the interest is and a general review of our lighting ordinances to make recommendations for changes. All lighting issues involving DarkSky work needs to be discussed in the DarkSky Ad Hoc committee so it will be easier for people to follow the issue. The Ad Hoc DarkSky Committee could move to recommend that the Town Council pass a Resolution supporting DarkSky principals. However, without a Resolution from Town Council authorizing the Ad Hoc Committee to advocate an outcome, the RCC and the DarkSky Committee is moving beyond what has been authorized by the Town and cannot do so. Natalie Magdeburger offered to assist the Ad Hoc DarkSky Committee in drafting a Resolution. She recommended that the DarkSky Ad Hoc Committee look at the Resolution that was brought to Town Council from the Environmental Committee on the windfarms as a good example to utilize.
- Janice Bortner stated that there is not much time in order to address the lighting concerns on the Freeman property. Natalie Magdeburger stated that she understood Janice's concern but it is important to follow appropriate process in order to comply with FOIA and it is necessary that this type of discussion must be done within the Ad Hoc DarkSky Committee, not the Residential Concerns Committee, so it can be followed. Further, advocating a position, particularly with other communities, would need a clear mandate from Town Council in the way of Resolution. Natalie Magdeburger stated that the Comprehensive Plan only approved education of DarkSky principals but did not approve the endorsement of DarkSky principals as a whole. Town Council has not endorsed the DarkSky principals as a whole and, in fact, many of the members of the Town Council do not know what exactly the DarkSky principals are. A Resolution is the appropriate vehicle to seek authority from the Town Council to speak on behalf of the Town. Natalie Magdeburger reminded the group that a Resolution is necessary before moving forward with advocating an outcome.
- Rose Mary Hoy offered to draft a Proclamation and asked whether that would be appropriate and Natalie Magdeburger stated that a Resolution would be the appropriate vehicle and she would speak with Rose Mary Hoy more about how to draft the Resolution that would need to be presented to Town Council and voted on before further advocating can go forward. George Stone asked whether they could contact as

individuals and Natalie Magdeburger stated that they are free to contact as individuals but not as the Town or one of the Town's committees.

- Rose Mary Hoy stated she received an email regarding lighting at Surf Bagel being too intense. Natalie Magdeburger replied that this is being addressed by the Town.

2. Approval of the November 4, 2024 meeting minutes

**a. Motion to approve November 4, 2024 meeting minutes on a Stu Rubenstein/ George Stone motion.**

**Motion passed unanimously.**

3. Discussion and Possible Action.

a. Comprehensive Plan Matrix Initiatives

- DarkSky Report – Goals and Education Initiatives
  - Discussion above under Doug Hudson and Sussex County Council.
- Green Infrastructure – Tree Canopy Goals – Education and Working Groups Donated Land Project
  - Deborah Cowell shared slides from the Green Infrastructure Zoom Meeting Meghan Fellows from November 14, 2024. She spoke about living shorelines and pocket forests.
  - The working group met November 21, 2024. (See attached slides and notes).
  - Deborah Cowell provided updates on the donated land project. There was some interest in obtaining a survey; however, Natalie Magdeburger had stated that was not likely a necessary expense given our limits of what we could do on the property and the fact that we cannot build on the property—it would be several thousand of dollars. Suggested a walk through of the property to make plans without a survey. Deborah Cowell indicated that she had not done a walk through yet and was fine with moving forward without a survey. There are also pathways already in the property that we should honor as neighbors use the pathways to get to the beach without accessing Coastal Highway.
  - The working group discussed possibilities of installing a small cistern on the land for stormwater management and placards on trees to give background for educational purposes.
- Questions for Doug Hudson – On DarkSky Initiatives and Green Infrastructure. What is Sussex County Council Currently Working on?

Janice Bortner asked Natalie Magdeburger how other towns receive information on what Sussex County Council are currently doing. Natalie Magdeburger stated she goes to Sussex County's website, speaks with Sussex County councilmembers, and connects with other mayors. She further stated that other members of Town Council also similarly connect on issues with Sussex County

4. Old Business

- a. The Business Committee is meeting December 3, 2024 and they will be discussing the Home Press. Janice will coordinate with them about how best to utilize the Welcome Packets.

5. New Business

- a. None

6. Public Participation

- a. None

7. Future Meeting.

- a. January 6, 2024, at 10:00 a.m.

8. Adjourn.

- a. **Motion to adjourn on Rose Mary Hoy/Deborah Cowell motion at 11:02 a.m.**

**Motion passed unanimously.**