



The Town of Fenwick Island

800 Coastal Highway, Fenwick Island, DE 19944-4409

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

www.fenwickisland.delaware.gov

PUBLIC HEARING OF THE TOWN COUNCIL

MARCH 23, 2026, at 10:00 A.M.

Town Hall

Minutes

Members Present: Natalie Magdeburger, Bill Rymer, Colleen Wilson, Lucy Wilder (via Zoom), Jacque Napolitano (via Zoom), Kurt Zanelotti (via Zoom)

Members Absent: Susan Brennan

Others Present: Erin Ellinger, Kathy Grab, Chief Morrissey, 9 others in person and 8 others on zoom

Call to Order and Flag Salute at 10:00 AM.

1. Public Hearing – Proposed Amendment to Chapter 160-10, Off-Street Parking Regulations

Mayor Magdeburger stated for the record that the public hearing had been duly noticed and properly advertised at Town Hall, in the Coastal Point, and on the Town's official website in accordance with Town requirements.

Matt Patton, President of Surf Bagel, spoke in support of the proposed amendment and thanked Council for their work to date. He stated that during the previous summer season, traffic congestion created safety concerns, particularly for E. Essex St. He explained that the proposed lot would be used by Surf Bagel customers and employees and not for beach access. He noted there would be barriers in place, oversized parking spaces, and monitoring through staff or electronic solutions. He stated the conceptual plan includes approximately 40 spaces, one-way traffic flow, and ingress/egress from Route 1, and that he is seeking feedback before submitting a final plan. Councilmember Kurt Zanelotti added the importance of keeping traffic off Essex Street.

Janet Hess asked where the entrances off Route 1 would be located. Mayor Magdeburger noted that the two existing curb cuts would be maintained as part of the sidewalk plan. Mr. Patton stated the current concept includes a central entrance approximately 30 feet wide.

Zahra Khaghani, 3 E. Essex Street, questioned whether an attendant would remain after 2:00 PM. Mr. Patton stated the lot would be locked and cleared when the business closes. Ms. Khaghani expressed concern that residents were not aware of the hearing and suggested that direct notification should have been provided. She raised concerns regarding increased traffic, trash, safety, and stated that residents she spoke with were not in favor. She suggested alternative parking arrangements be made with Mancini's restaurant.

Janice Bortner, Schulz Road, stated pedestrian safety is a primary concern and questioned how this lot would be managed, particularly with crossing Coastal Highway. She questioned whether the "business helping business" approach is being utilized and expressed concern that commercial parking lots may conflict with the Town's comprehensive plan and character. She recommended tabling the matter until additional residents are present.

Mr. Patton responded that nearby businesses have overlapping hours and lack sidewalks, creating additional safety concerns. He stated sidewalks are not expected until 2029 or 2030 and that this proposal is intended as an immediate solution. Ms. Bortner noted that sidewalks are planned and may help alleviate issues in the future.

Mayor Magdeburger stated that the proposed amendment is not specific to this parking lot, but modifies an ordinance adopted approximately 20 years ago. She explained that the amendment would allow property owners to petition Council for a temporary permit for a specified period, with conditions applied on a case-by-case basis. She noted that each request would require a public hearing and that this would be the appropriate time to notify directly affected residents. She confirmed that this hearing was properly noticed and referenced the safety concerns and traffic backups experienced the previous summer.

Mike Quinn, 5 W. Houston Street, asked about the impact of multiple egress points onto Route 1. Mr. Patton stated the layout is preliminary and subject to change. Mayor Magdeburger noted that the purpose of the hearing is to gather public input and work toward a safer solution, and that Council would have authority over usage, management, and conditions. She referenced prior incidents where police were involved and citations were issued. Councilmember Zanelotti added that this proposal is intended to address an existing safety issue and will not change market conditions.

Behrooz Garavi, 3 E. Essex Street, stated that no action was taken last summer to address the issue and expressed concern regarding enforcement, particularly after business hours. He stated this appears to be a one-property issue and recommended tabling. Council noted that while other vacant lots exist along Coastal Highway, no additional requests have been submitted.

Mr. Patton stated that Surf Bagel responded to complaints but had limited authority under the current code and no control over customer behavior. He stated this proposal is an effort to create a compliant solution. Mayor Magdeburger stated the Town enforced the code through ticketing and noted that under the proposed amendment, permits would be issued on a one-year basis and could be revoked or suspended if issues arise. Mr. Patton stated enforcement would be the responsibility of Surf Bagel and is in their financial interest to manage properly.

Councilmember Bill Rymer stated the application process would include detailed submissions, public posting, and hearings. He noted that reviewing conceptual plans at this stage may be premature, though they are being shared for transparency.

It was noted that no fee would be charged for parking, Surf Bagel would lease the lot from the owner, and liability would remain with the applicant. Mayor Magdeburger stated that the “business helping business” provision allows this arrangement.

Peter Frederick asked whether neighbors would have input. Mayor Magdeburger confirmed that public hearings for each application would allow for public comment.

Mr. Garavi questioned why an attendant was not used previously and suggested alternative agreements. Mr. Patton stated prior limitations made enforcement difficult and that overlapping business hours limit shared parking options. He added that the proposed lot would reduce vehicles circulating through Town.

Marcia Frederick, 1605 Bunting Avenue, questioned whether alternatives had been explored and raised concerns about long-term impacts. Mayor Magdeburger stated sidewalks and crosswalk improvements are planned as long-term solutions, while this amendment addresses immediate safety concerns.



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Scott Mumford expressed support for the ordinance as a temporary solution.

Zahra Khaghani reiterated concerns regarding safety, enforcement, and notice, and shared personal impacts. Mr. Patton stated parking is already occurring in the area and this proposal is intended to improve safety. Councilmember Zanelotti added that the existing situation presents safety concerns and that development is expected in commercial areas.

Mayor Magdeburger read into the record written comments received prior to the hearing and shared with Council.

Dave Reifschneider submitted written comments opposing the proposed ordinance change, citing lack of notice to affected residents, safety concerns, and the potential for increased traffic and misuse of the lot. He stated the proposal is a temporary solution that benefits one business, may set an undesirable precedent, and lacks enforceable safeguards. He urged Council to reject the ordinance change.

Tim Collins, owner of Southern Exposure, submitted comments expressing support for a trial-based approach.

The Mayor confirmed that notice requirements were met and outlined the process by which the request was referred to the Charter and Ordinance Committee.

Eva Dwyer, 1 E. Farmington Street, expressed concern the lot may be used for beach parking and questioned why cooperative parking arrangements are not being utilized.

Mayor Magdeburger stated that additional public comment would be permitted at the second reading during the upcoming Town Council meeting.

2. Council Discussion

None

3. Adjournment

Motion: To adjourn the meeting at 11:40 AM.

Moved by: Colleen Wilson

Seconded by: Bill Rymer

Result: Motion passed unanimously.