



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 MEETING OF THE TOWN COUNCIL

May 15, 2026, at 9:00 A.M.

Town Hall

Minutes

Members Present in Person: Natalie Magdeburger, Bill Rymer, Kurt Zanelotti, Susan Brennan, Jacque Napolitano, Colleen Wilson

Members Absent: Lucy Wilder

Others Present: Erin Ellinger, Mike Locke, Chief Morrissey and 12 in person and 13 on Zoom

Call to Order and Flag Salute

1. Request from Surf Bagel for temporary parking permit for 1101 Coastal Hwy.

Mayor Natalie Magdeburger opened discussion regarding the request submitted by Mr. Patton on behalf of Surf Bagel for approval of a temporary parking lot located across Coastal Highway from the business. The Mayor explained that the request involved temporary seasonal use of the property through an agreement with property owners James Parker and Mary Beth Parker. The proposed operational period for the lot would run from May 15 through September 15, 2026.

Mr. Patton presented the proposed site plan and explained the purpose of the request. He stated that during the summer season Surf Bagel experiences significant overflow parking demand, resulting in increased vehicle circulation throughout nearby residential streets, particularly Essex Street and Bunting Avenue. Mr. Patton stated the goal of the temporary lot was to create a safer and more organized parking solution while reducing traffic congestion within the neighborhood.

Mr. Patton reviewed the proposed layout and operational details of the lot, including:

- Access from Coastal Highway;
- A crusher run parking surface;
- One-way traffic circulation through the site;
- Oversized parking spaces and wider drive aisles;
- Landscaping and grassed buffer areas;
- Parking bumpers;
- Post-and-chain barriers intended to discourage unsafe pedestrian crossings;
- Direction of pedestrians toward the existing crosswalk at Essex Street.

Mr. Patton stated the lot had intentionally been designed with fewer parking spaces than could physically fit on the parcel in order to improve circulation and safety within the site.

Discussion Regarding Employees and Peak Business Hours

Town Council questioned the applicant regarding staffing levels and employee parking needs.

Mr. Patton stated that Surf Bagel typically employs approximately 10 to 15 employees during the summer season, with employee arrival times staggered throughout the morning beginning around 4:30 a.m. He stated that most employees currently park at the Matt's Fish Camp warehouse parking lot and that if the temporary parking lot were approved, employee parking would likely be shifted to the proposed lot due to improved proximity and pedestrian safety compared to the current arrangement, which requires employees to walk along portions of Coastal Highway lacking sidewalks.

Mr. Patton stated that Surf Bagel's busiest operating hours are generally between 9:00 a.m. and 11:00 a.m.

Council members discussed the proposed operating hours for the lot and questioned why the lot would remain open until 4:00 p.m. Mr. Patton explained that employee departure times are staggered throughout the afternoon, with managers often remaining later than other staff.

Pedestrian Safety and Barrier Discussion

Council discussed pedestrian safety concerns associated with the proposed lot, particularly regarding pedestrian crossings along Essex Street.

Mr. Patton clarified that post-and-chain barriers would be installed along portions of the property to discourage pedestrians from crossing Essex Street at unsafe locations and to direct foot traffic toward the existing crosswalk.

Council members discussed whether additional fencing or barriers would be necessary and whether adjustments to the layout could further improve pedestrian movement and minimize impacts to adjacent residential properties.

Discussion also occurred regarding the possibility of aligning pedestrian access more directly across from Surf Bagel's existing parking lot in order to reduce unnecessary movement along Essex Street.

Monitoring and Enforcement Discussion



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Council questioned how Surf Bagel intended to monitor the lot and ensure that parking was being utilized by Surf Bagel patrons and employees.

Mr. Patton stated that a surveillance and camera monitoring system was proposed that would notify management if vehicles remained parked beyond the permitted timeframe. Mr. Patton stated that management personnel would actively monitor the lot and enforce time limitations.

Mr. Patton confirmed that unauthorized vehicles would be subject to towing at the owner's expense and that multiple signs identifying towing enforcement would be installed throughout the lot.

2. Public Comment

Mr. Tull, 19 Essex Street, stated that pedestrian safety was his primary concern and that he viewed the proposal as a safety issue. His career was with the Delaware State Police and was the third highest ranking member of the Delaware State Police when he retired. He generally liked the plan and thought it was a safe way to combat the traffic issues that had occurred in the Essex Street area last summer. However, he stated that the entrance and exit should remain on Coastal Highway in order to better protect pedestrians along Essex Street.

Tim Collins suggested locating the entrance on Essex Street, noting that many vehicles turn onto Essex Street and continue through to Bunting Avenue in search of parking. He described Surf Bagel as a first-class operation that should be encouraged and supported. Mr. Collins stated that parking continues to be an ongoing issue not always specifically addressed by existing ordinances and expressed support for accommodating local businesses, particularly as more establishments remain open year-round. He applauded Town Council and the Mayor for attempting to find a solution.

Michelle Murphy, 1 E. Essex Street, stated that she could see both the advantages and disadvantages of the proposal. She stated that she personally preferred the entrance and exit remain on Coastal Highway but acknowledged that many drivers naturally turn directly onto Essex Street. Mrs. Murphy requested that the entrance be located farther from her property and that some form of privacy barrier be incorporated along her property line. She has an 8 foot fence in the rear (after the meeting it was measured and it is 7 foot) and a 4 foot fence in the front. Her background is in IT security and she was familiar with and comfortable with the electronic monitoring proposed by Surf Bagel.

Councilmember Jacque Napolitano suggested installing a large entrance sign along Coastal Highway to improve visibility and direct drivers to the lot.

Councilmember Susan Brennan stated that a stop sign should be installed at the exit of the proposed lot and expressed support for an entrance from Essex Street.

Behrooz Garavi, 3 E. Essex Street, stated that signage would be critical and that prominent signs should be installed to notify visitors that parking was available. He expressed concern that construction trailers and motor homes would continue parking along Essex Street and suggested providing accommodations for trailer parking. Mr. Garavi also suggested that Surf Bagel employees park on the existing Surf Bagel lot while customers utilize the proposed temporary lot. He further suggested installation of a “No Right Turn” sign onto Essex Street; however, Council noted that such signage would not be permitted. Mr. Garavi stated that signage within the area should be clearer and suggested the lot close at 2:00 p.m. He also emphasized the importance of having a monitoring system in place and noted that several trash receptacles would likely be needed. Mr. Patton responded that lot monitoring would be the responsibility of Surf Bagel management and they would tow any violators.

Steve Larson of Farmington Street suggested relocating the crosswalk. Mayor Magdeburger stated that DelDOT would be responsible for such improvements and noted that the estimated cost of relocating the crosswalk was approximately \$60,000. The Mayor further stated that flashing beacon lights were planned for installation at the existing crosswalks.

Ms. Napolitano additionally suggested reducing the total number of parking spaces and limiting the operational hours of the lot. She stated that the entrance should remain on Coastal Highway rather than Essex Street and suggested the arrangement could operate as a trial during the summer season, with additional modifications considered in future years if necessary.

Mayor Magdeburger discussed potential operational conditions for the lot, including limiting public parking hours from 7:30 a.m. to 2:00 p.m. while allowing employee parking from 6:00 a.m. to 3:00 p.m. The Mayor stated that designated employee spaces and parking hang tags should be considered. The Mayor also stated that the southwest corner of the lot should remain free of parking spaces to improve sight visibility when exiting onto Coastal Highway. Additional recommendations included installation of a privacy fence adjacent to the Murphy property extending toward Essex Street, revised towing language on signage removing reference to the Town, additional “No Trespassing” signage once the lot closed, and signage placed on the proposed chains. Mayor Magdeburger stated she was satisfied with the proposed surveillance system.

Mr. Patton requested assurance that the lot could remain operational throughout the summer season due to the additional conditions being discussed, including signage, fencing, and removal of several parking spaces. Mayor Magdeburger stated that the permit would be issued for one year and explained that revocation would occur only if safety or non-compliance issues arose. The Mayor further stated that the Police Department would closely monitor the operation of the lot and that proper signage would allow for enforcement if necessary.



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Councilmember Bill Rymer expressed concern regarding individuals parking within the lot who were not physically patronizing Surf Bagel.

Mr. Patton explained that the proposed surveillance system utilized artificial intelligence technology capable of defining individual parking spaces and monitoring movement within the lot. He stated that management would receive alerts if vehicles remained stationary for extended periods. Councilmember Brennan suggested signage clearly indicate that the lot was under surveillance in order to discourage violations.

Kinsley Parker, owner of the lot, expressed concern that a privacy fence could obstruct visibility of pedestrians along Essex Street. Mayor Magdeburger clarified that the proposed privacy fence would primarily run adjacent to the Murphy property and noted that the current proposal consisted of post-and-chain barriers.

Doug Lopez noted that Surf Bagel currently has approximately 27 parking spaces on its existing lot and suggested that early-morning employees utilize the Surf Bagel lot rather than the temporary lot. He stated that he believed the proposed lot should operate from 7:00 a.m. to 2:30 p.m. and questioned how management would respond to surveillance alerts received during busy operating hours.

Motion: To approve the temporary parking permit subject to the following conditions: public parking hours shall be limited to 7:30 a.m. through 2:00 p.m., and employee parking hours shall be limited to 6:00 a.m. through 3:00 p.m. Employee vehicles shall display parking tags and employee parking shall be restricted to the north side of the lot. The lot layout shall remain substantially as presented, with both the entrance and exit located on Coastal Highway. A privacy fence shall be installed adjacent to the Murphy property, and a yellow chain barrier shall be installed along Essex Street. Signage shall be added throughout the lot, including additional signage along the rear fence, stating that violators will be towed at the owner's expense and that the lot is under surveillance. The three proposed parking spaces located at the southwest corner of the lot shall be eliminated to improve visibility, and the surveillance system shall remain operational and video will be provided to the Town upon request.

Moved by: Natalie Magdeburger

Seconded by: Kurt Zanelotti

Result: Motion passed 5-1, with Bill Rymer opposed.

Councilmember Colleen Wilson suggested the use of tall grass or landscaping in place of a privacy fence. Discussion clarified that the proposed fence would extend only along the Murphy property line to the setback area. Councilmember Wilson expressed concern that approval of the fence could establish a precedent for future commercial properties.

Kinsley Parker also expressed concern regarding precedent and stated that, because the fence would be located entirely on private property, maintenance of both sides of the fence should remain the responsibility of the property owner. Additional discussion occurred regarding the existing fence posts, noting that the current four-foot posts would likely need to be replaced to accommodate an eight-foot privacy fence.

Councilmember Susan Brennan asked whether the six parking spaces located along the north fence line would be designated specifically for employee parking. Council discussed the matter and determined that employee parking designation would instead be managed through the use of parking hang tags.

3. Adjournment

Motion: To adjourn the meeting at 11:03 a.m.

Moved by: Natalie Magdeburger

Seconded by: Jacque Napolitano

Result: Motion passed unanimously.