

**Town of Fenwick Island
Minutes of the Charter & Ordinance Committee Meeting
March 4, 2014**

Call to Order at 9:30 a.m.

Present: Committee Members Bill Weistling, Gene Langan, Roy Williams, Mike Quinn and Pat Schuchman

Absent: Ben Waide, Diane Tingle, Winnie Lewis, Merritt Burke

Public in Attendance: Buzz Henifin

Minutes:

- Gene Langan made a motion to approve the minutes of February 4, 2014 seconded by Mike Quinn. Roy Williams abstained. Motion passed.

Issues for Discussion & Possible Action:

- Bill Weistling continued from the last meeting a review of the proposed draft of the amendment to Chapter 160 regarding regulations for commercial setbacks, sidewalks and fences.
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- He commented that there has been no discussion of the parking areas for commercial properties that have parking spaces on the side of the businesses and suggested that there be a requirement that there be no parking in the 15' side setback for any new construction.
- Existing parking in the front commercial setback shall continue to be permitted until building is removed.
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- Discussion continued on the proposed draft that would require a 6' to 7' fence along the rear property line adjacent to residential property and how to deal with an existing fence belonging to the residential owner and not the commercial owner. In particular, should an existing 4' fence presently belonging to the residential owner be considered an acceptable barrier and grandfathered and not necessarily require the commercial owner construct the 6' to 7' fence directly against an existing fence?
- Pat Schuchman will check all commercial properties and report at the next meeting who owns the existing fences to give an idea to this committee how many properties are actually affected. This will help with a proposal of how to address existing fences in an ordinance amendment.
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- Bill reported on a recent meeting with DELDOT regarding commercial sidewalks. The proposed draft for sidewalks was given to those present at the meeting for their review and comments. The requirement for sidewalks when there is new construction looks good but we will wait for their comments on how to require sidewalks when there is a substantial improvement and not a wide enough area for a sidewalk. This could include an exception to the minimum 5' wide sidewalk requirement by having a DELDOT approved alternative.
- Also discussed was a requirement for sidewalk plans that would be independently engineered and inspected to meet Town of Fenwick Island, DELDOT and ADA requirements.
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- Proposed amendments to parking requirements in Town were discussed. The AdHoc Parking Committee recommended that two hanging tags be given to property owners for parking starting this year and asked that C&O draft an amendment to Chapter 112-5 of the Parking ordinance.
- Discussion of this resulted in two committee members in favor and two against. Due to the snow this day, four committee members were absent. It was decided to continue this discussion at the

next meeting before deciding whether or not the C&O committee should consider a draft amendment for consideration by Town Council.

- Another draft amendment requested by the Parking Committee was to add a new section for Resident Merchant Employee parking permits valid for bayside street parking only.
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- At the last meeting, Mike Quinn expressed his concern that the existing ordinance requiring anchoring of propane tanks and free-standing structures may be vague when specifying what free-standing structures need to be anchored.
- It was agreed there should be a new definition of “Fixed Items” that will include what items should be anchored as part of new construction. The amendment would include verbiage recommending existing items be anchored.
- The section regarding propane tanks already exists in Chapter 61 in Article III (Utility Construction) and reference to propane tanks will be removed from Chapter 160 (Zoning).
- The draft amendment to Chapter 160 (Zoning) regarding anchoring fixed items will be inserted under § 160-8A as a new items under “General regulations; exceptions”.

Comprehensive Plan:

- Bill stated that the C&O committee continues with the goals of the Planning Commission.

Next Meeting:

- Tuesday April 1, 2014 at 9:30 a.m.
- Discussion as follows:
 - o Chapter 160 (Zoning) – Fences (Freestanding Structures)
 - o Chapter 160 (Zoning) – Commercial Setbacks
 - o Chapter 160 (Zoning) – Sidewalks
 - o Chapter 112 (Parking) – General Parking Regulations
 - o Chapter 160 (Zoning) – Anchoring Free-Standing Structures

Old:

None

New:

None

Adjourn:

- Gene Langan made a motion to adjourn the meeting, seconded by Mike Quinn. The meeting was adjourned at 11:20 a.m.