



The Town of Fenwick Island

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PUBLIC HEARING FEBRUARY 23, 2018, 2:30 PM

MINUTES

In Attendance

Town Council Members:

Mayor Langan, Vice Mayor Mais, Treasurer Bunting, Secretary Merritt, Council Member Carmean

Absent:

Council Member Lee, Council Member Williams

Staff in Attendance:

Town Manager Tieman, Building Official Schuchman, Administrative Assistant Martin, Police Clerk Ellinger

Mayor Langan began the hearing by requesting Bill Weistling to read the proposed changes.

Charter Section 9 (Qualification of Voters)

Bill Weistling noted the change defines a resident.

Council Member Carmean asked if a "natural" person is any person that is born in the United States. Town Manager Tieman responded no, that it is actually a person and not an artificial entity.

Public comments: Jackie Napolitano, 2 E. James Street – Ms. Napolitano questioned what the change is about and if it would take away votes. Bill Weistling responded that the change is defining a "resident" only. The Committee drafted the definition since some property owners only live here part-time, so the change defines a "resident" as having a permanent Town address.

Chapter 61 (Article IV – Wireless Infrastructure Construction – Wireless Facilities)

Bill Weistling noted that the proposed change in defining a policy for wireless infrastructure is intended for those who are having poor cell reception in Town, particularly the Police Department. Verizon was aware of our problem and approached the Town on installing small cell technology on existing poles.

Vice Mayor Mais commented that this change is not just for Verizon but for any cell phone provider. Mayor Langan added that the installation will also provide new 5g technology.

Public comments: Buzz Henifin, 44 Windward Way – Mr. Henifin questioned how many new poles will be installed. Bonnie Metz from Verizon responded that approximately 20 small cells will be installed. Verizon will try to use existing poles but may need to replace poles on Bunting Avenue for line of sight to the beach.

Chapter 160 (Zoning – Definition of Business, Improved Lot, Primary Building, and Primary Structure and Amend Parking Requirements in the Commercial Zone)

Bill Weistling commented that the change to the ordinance was recommended by the Town attorney who suggested that the Town needed better definitions of our commercial zone.

Public comments: Tim Collins, 1200 Coastal Highway – Mr. Collins questioned if installing restroom facilities on a lot is a State or County requirement. Building Official Schuchman responded that Sussex County will not permit a building for a commercial business without facilities for their employees within 500 feet of the business. Mr. Collins then questioned if the concept of requiring a lot for just parking is a Town requirement. Building Official Schuchman responded yes. Mr. Collins asked if a business put in additional retail space could they amend their parking. Building Official Schuchman responded yes, that a business in the commercial zone could petition the Town Council to use parking elsewhere for their required parking. Mr. Collins gave an example of the area behind Fenwick Square that is an undeveloped lot in front of the water park and questioned if this new ordinance change would effect that area. Building Official Schuchman confirmed that the area that Mr. Collins was referring to was actually outside of Town limits. Bill Weistling added that a building is always required for parking and the ordinance change is just the addition of wording by the Town attorney after she reviewed the ordinance. Mr. Collins stated that he is just concerned that this change could affect parking in areas that already have problems due to limited parking on commercial lots.

Adjournment

A MOTION was made by Vice Mayor Mais, seconded by Treasurer Bunting, to adjourn the public hearing. The MOTION passed unanimously and the hearing adjourned at 2:57 PM.