

**Town of Fenwick Island  
Minutes of the Charter & Ordinance Committee Meeting  
September 7, 2018**

**Call to Order at 9:30 a.m.**

**Present:** Committee Members Bill Weistling, Bernie Merritt, Vicki Carmean, Mike Quinn, Bill Mould, Doug Lopez, Virginia Childers-Davidson, Terry Tieman, Linda Martin and Pat Schuchman

**Public in Attendance:** Gene Langan, Dottie Lopez, Roy Williams, Nadia Butler, Mark Tingle, Amy Kyle, Jackie Napolitano, Warren Hayman, Tim Collins, Elsie Weistling, Wayne Carmean, Bethany Hooper (*OC Dispatch*), Laura Walter (*Coastal Point*)

**Minutes:**

- Vicki Carmean made a motion to approve the minutes of July 6, 2018 seconded by Doug Lopez. Motion passed.

**Issues for Discussion & Possible Action:**

- Bill Weistling began with discussion of Chapter 160-4B(2) (residential zone) and Chapter 160-5B(2) and asked Pat Schuchman to explain the new CRS requirement of a mandatory one-foot freeboard.
- Ms. Schuchman explained that at a recent CRS meeting it was announced that the CRS rating of Class 8 enables Town property owner to receive a 10% discount on their flood insurance premium. The new CRS manual to be released in 2020 will require a mandatory one-foot freeboard in order to maintain the Class 8 rating.
- This will require an amendment to Chapter 160-4B(2) (residential zone) and Chapter 160-5B(2) regarding height regulations as well as Chapter 88-26 and Chapter 88-27 (Flood Damage Reduction) regarding elevation requirements.
- Mr. Weistling continued discussion on Chapters 61, 81 and 88 regarding the duties of the Building Committee.
- Currently all approval of building permits for new construction in excess of \$20,000 requires the signatures of the Building Official and two members of the Building Committee.
- He explained that this is the procedure that has been followed over the last 25 years he has been part of the Building Committee and he suspects the practice was done as long as the Town has been in existence. The Town now employs a professional staff with knowledge of Town codes and he suggested that the Building Official review such plans with the Town Manager and the building permit be issued once found to be in compliance with Town and FEMA regulations.
- As a result of a recent FOIA violation issued by the Attorney General's Office, all building permits must be approved in a meeting open to the public with at least seven day's notice.
- Mr. Weistling researched other coastal Towns in Delaware and found that Fenwick Island is the only Town that requires signatures other than the Building Official.
- He suggested the Building Committee be disbanded and allow such approvals be done by the Town's Building Official and/or Town Manager.
- Terry Tieman recommended the code be amended to state the Town Manager or official designee would review the plans and only one signature will be required to issue the building permit. Any instances where the code is vague should result in a consultation with the Town attorney, engineer or both.
- Amy Kyle suggested there be a mechanism in place for plan review of large projects such as the Sands. Ms. Tieman stated most municipalities use a planning review process. She also suggested