

Town of Henlopen Acres

104 Tidewaters
Henlopen Acres, DE 19971

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MINUTES: Meeting of the Planning Commission of the Town of Henlopen Acres was held on **Friday July 22, 2016 at 10:00am** at Town Hall on 104 Tidewaters in Henlopen Acres, Delaware

PRESENT:	John Scheurer	Planning Commission Chairman
	Gordon Kaiser	Planning Commission
	Dick Thompson	Planning Commission
	Mary Jane Lyons	Planning Commission
	David Lyons	Mayor (member ex-officio)
	Lisa Michaels	Town Clerk
	Dick Kollar	Zoning Officer
	Henry DeWitt	55 Fields End

EXCUSED:	Bob Reed	Planning Commission
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[The Minutes Are Not Verbatim]

1. Call to Order – Pledge of Allegiance

The meeting was called to order 10:01am by Chairman John Scheurer.

2. Approval of Minutes – June 10, 2016

Motion to approve the June 10, 2016 minutes made by Commissioner Dick Thompson and seconded by Commissioner Gordon Kaiser. **Motion** passed unanimously.

3. OLD BUSINESS

b. §130-4.B.(2) Accessory use, Cooking facilities

The Board of Commissioners referred this item back to the Planning Commission for further clarification. This topic was discussed extensively with the Planning Commission requesting Mr. Kollar’s comments. Mr. Kollar reminded the Commission that adding a roof as suggested would require it to be counted towards the 6000 sq. ft. under roof limit. Also being attached to the main home with or without a roof also requires it be considered an accessory structure. To contrast, the current draft language describes the cooking facility as being “uninhabitable” which then disqualifies it from counting against the 6000 sq. ft. maximum. Mr. Kollar and Mr. Thompson both felt the current proposed language needed to be simplified. Mr. Kollar noted that the language needs to be understandable by potential homeowners or designers submitting plans for review. Mr. Kollar also suggested omitting the work “unenclosed” since the definition of 3 walls and an operable partition essentially encloses the structure. The Planning Commission has requested Mr. Kollar draft new language and submit to the Planning Commission for review.

d. Review of Comprehensive Plan recommendations

Recommendations from the Comprehensive Plan were included in the meeting packet. Mr. Scheurer reviewed each recommendation individually starting with the Rehoboth Art League. 1) Since final submission of the Comprehensive Plan the Town has met with the Art League once on March 31, 2106. The Art League agreed to respond in writing to the Town's previously submitted MOU but still has not done so. 2) The Pioneer Cemetery will remain as is. 3) Air Quality. The Town has a proposed ordinance to address idling of commercial vehicles in Town. As drafted the Commissioners are concerned it's unenforceable so this topic is deferred to next meeting. Mr. Scheurer would like to evaluate the possibility of a Town wide trash service. 4) Tree Canopy. Mr. Scheurer shared with the Commission the activities of the Tree Committee. The Tree Committee is working on taking inventory of all trees on Town property. They have also met with an arborist and will retain his services to evaluate and maintain the tree canopy. The Tree Committee will also be reaching out to property owners to educate about the benefits of maintaining the tree canopy. The Town recently planted 12 trees to replace those lost over the winter. 5) Water Supply. The Commissioners discussed the Town water supply and well head protection. 6) Fire Protection. The Commissioners discussed the recommendation to connect to Rehoboth Beach Water System. 7) The Marina. The Town has hired AECOM to evaluate and offer solutions to the Marina's current silting problem. 8) Traffic Study. The Commissioners discussed the possibility of doing a traffic study in the future.

a. § 130-19D Garage/Storage area allowance

This item was referred back to the Planning Commission from the Board of Commissioners for further clarification. The major concern was that any approval of additional space would be abused. An extensive discussion ensued addressing the uses of the additional proposed 250 sq. ft. Also discussed is whether this additional square footage should have to meet any of the current zoning requirements of 6000 sq. ft. under roof maximum, the 20% lot coverage maximum and 20% accessory structure maximum. Mr. Scheurer presented 92 Tidewaters, the smallest lot in Town, as an example. With the current Code, this property would have no option to add additional storage space except by seeking a variance from the Board of Adjustments. The Planning Commission sought direction from Mr. Kollar. The Commission also wanted to possibly expand the duties of the Environmental Review Committee and the Zoning Officer in evaluating plans to add additional storage should a new Ordinance pass. Mr. Kollar feels each case must be evaluated individually, so the Code needs to be written so that it can be applied on a case by case basis. A possibility is to allow some encroachment in the setback if the other zoning requirements are still met. Mr. Kollar will evaluate further and make recommendations to the Planning Commission.

c. Review of fencing requirements

This topic was deferred to the next meeting.

4. NEW BUSINESS

None.

5. Adjournment

A **motion** to adjourn was made by Mr. Thompson and seconded by Mr. Kaiser. The meeting was adjourned at 11:18am.

Approved 08/22/16