

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 **Monday August 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 |
| Bob Reed | Planning Commission |
| David Lyons | Mayor (member ex-officio) |
| Tom Roth | Town Manager |
| Lisa Michaels | Town Clerk |
| Joni Reich | 25 Tidewaters |
| Barbara Shortley | 59 Pine Reach |

EXCUSED: Mary Jane Lyons Planning Commission

[The Minutes Are Not Verbatim]

1. Call to Order – Pledge of Allegiance

The meeting was called to order 10:00am by Chairman John Scheurer.

2. Approval of Minutes – July 22, 2016

Motion to approve the July 22, 2016 minutes made by Commissioner Dick Thompson and seconded by Commissioner Gordon Kaiser. **Motion** passed unanimously.

3. OLD BUSINESS

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

Another draft definition is included in the meeting packet. Lingering concerns of misuse of the added 250sq. ft. were discussed by the members of the Planning Commission. The extensive discussion included limiting the location of the proposed storage garage to the back or side of the existing home only, restricting the 250 sq. ft. allowance to the lots smaller than the normal of approximately 19,000 sq. ft., and requiring approval by the ERC and/or the Board of Adjustments. The Commissioners agreed to approve the following language:

Proposed Language for 130-19.D Garage/storage area allowance.

The Town encourages residents to store their bicycles, beach chairs, gear and other similar items out of sight. Therefore, the restrictions established in subsections D and H of this section may be exceeded by an allowance of up to 250 square feet (on a sliding scale as defined below) to incorporate additional uninhabitable space devoted to use as a garage or storage area located on the side or rear of the dwelling. Additionally, at the discretion of the Zoning Officer, minimal (3' or less) exceptions to the set-back requirements may be allowed as part of this ordinance. However, any proposed use of

the 250 sq. ft. allowance must be approved as to aesthetics by the Environmental Approval Committee as set forth in 130-38.

Definition of sliding scale: The smallest lot receives the maximum allowance and the largest lot receives zero allowance. The difference in area between the largest lot in Henlopen Acres and the smallest lot is 24,088 SF (34,107 – 10,019). Calculation of the allowance shall be as follows: allowance = 250(34,107 -subject lot area)/24088. Eg. Allowance for 14,898 SF lot = 250 SF * (34107-14898)/24088 = 199.37 SF*

A **motion** to recommend the above language to the Board of Commissioners was made by Mr. Thompson and seconded by Mr. Kaiser. **Motion** passed unanimously.

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

A definition drafted by Mr. Kollar, Zoning Officer is included in the packet. The current Code prohibits all outside cooking facilities and the goal is to update the Code to allow uninhabitable, unenclosed, outside cooking facilities. A discussion surrounding simplifying the language further and whether it should or should not be considered an accessory structure requiring attachment to the primary dwelling. Further revision to the language will be done to include the definition contiguous for the next meeting.

c. Review of Comprehensive Plan recommendations

Endangered Species – Mr. Roth presented a sign that the town will erect each spring to advise beachgoers to avoid disturbing birds that may be nesting or feeding in the key wildlife area. He also plans to educate the residents by periodically including related information in the Town newsletter.

Air Quality - A draft ordinance (Chapter 116 Vehicles and Traffic) to address air quality is included in the packet. The Commission had a brief discussion concerning the draft ordinance and requested gas powered engines be included along with diesel engines. A **motion** to recommend the Ordinance as amended to the Board of Commissioners was made by Mr. Kaiser and seconded by Mr. Thompson. **Motion** passed unanimously.

d. Review of fencing requirements

Mr. Scheurer briefly discussed fencing for pets as it relates to elderly residents. This topic will be discussed in depth at a future meeting.

4. NEW BUSINESS

Mr. Scheurer requested adding a discussion on Chapter 130 Zoning §130-60 (Special Exceptions), to the next meeting agenda.

Mr. Scheurer also updated the members on the progress of the Tree Committee which included completion of a town tree inventory.

5. Adjournment

A **motion** to adjourn was made by Mr. Thompson and seconded by Commissioner Bob Reed. The meeting was adjourned at 11:20am.

Approved 08/07/2017