

Town of Henlopen Acres

104 Tidewaters
Henlopen Acres, DE 19971

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MINUTES: The Commissioners of the Town of Henlopen Acres held a Public Workshop at **10:00am on Friday, October 11, 2019** at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

PRESENT:	Joni Reich	Mayor
	John Staffier	Commissioner
	Andrew Brittingham	Commissioner
	Frank Jamison	Commissioner
	Beatrix Richards	Commissioner
	Richard Thompson	Commissioner
	Thomas Roth	Town Manager
	Lisa Michaels	Town Clerk
	Glenn Mandalas, Esq.	Town Solicitor

ABSENT:	Tim Hidell	Commissioner
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[The Minutes are Not Verbatim]

1. Call to Order-

The Public Workshop on Rentals was called to order at 10:00 am by Mayor Joni Reich.

2. Mayor Reich began the workshop by reading the current Rental Ordinance Chapter 95 and rental licensing procedure. She then opened the floor up for comments from residents and property owners.

Bruce Cameron-5 Broad Hollow

Mr. Cameron and his family currently rent their home at 5 Broad Hollow. They rent for about six weeks each summer and use the rental income for the upkeep of the home. While he is currently sympathetic for full time residents and agrees that renters need to follow the rules of the Town, he would be disappointed if the Town changed the current rental Ordinance to make it more restrictive.

Joe Hawley-92 Tidewaters

Mr. Hawley would like someone to clarify what the issues are that have prompted the Commissioners to consider changing the current Rental Ordinance. Mr. Hawley also suggested the Commissioners target specific issues and rental properties when problems arise.

John Scheurer-62 Tidewaters

Mr. Scheurer responded to Mr. Hawley. The amendments to the Rental Ordinance that were passed in 2015 were in response to abuses in renting homes in Henlopen Acres. Homes were being rented to unlimited number of people for terms as short as 1 or 2 nights creating disturbances to the surrounding homes. As a residential community, he would like to see further restrictions limiting the number of weeks rented to six per year. He has witnessed renters not following rules on Block W beach and trying to use the Beach Club facilities.

Jeff Jacobs-24 Rolling Road

Mr. Jacobs is also responding to Mr. Hawley’s question. As a full time resident, he feels that renters and possibly property owners who mainly rent out their property aren’t as invested in the community and don’t appreciate it much as residents. People are purchasing properties under an LLC simply to use as a rental property.

Ita O’Donnell Snyder-38 Rolling Road

Ms. Snyder’s family has owned a home in the acres since the 1960’s. They currently rent their home and are concerned about the negativity she is perceiving around renting a property in Henlopen Acres. She is interested in hearing if there has been an increase in noise/bad behavior coming from rental homes and is the town reviewing the data to see if there are homes that are “over-renting”? After hearing other comments from residents, she is sympathetic to the issues that affect full time residents and would like to see the Town come up with a solution that works for everyone.

Mayor Reich responded: Over the past few years there has been a larger renter population in Town and it changes the experience for a full-time resident who live near a rental property. When does a home stop being a residence and start becoming a business if it is rented out through the year?

Commissioner John Staffier also commented that currently Town prohibits any commercial activity, so when homes are purchased for the sole purpose of being a rental property that is, deemed to be commercial activity.

Commissioner Richard Thompson noted that Henlopen Acres is trying to be proactive so that the Town is not faced with the same issues Rehoboth Beach is faced with concerning increasing rentals.

Ann Weir-62 Fields End

Ms. Weir noted that she lives near rental properties and has never had an issue with any of the renters. She is wondering if extending the rental period to 2 weeks or longer would help. This would give the renters more time to acclimate to the Town and its rules. She also wondered if requiring the use of a local realtor for all rentals would be helpful.

Lynn Sirinek-60 Pine Reach

Ms. Sirinek read a prepared statement highlighting her family’s history of home ownership in Henlopen Acres. Her full statement will become part of the permanent record. Her family

currently rents their home and uses the income to maintain the property. She wants the current Town rules on rentals to stay “as is” without further restrictions.

Leigh Jamison-90 Tidewaters

Mrs. Jamison lives next to a property that is rented frequently throughout the year. She is frustrated with the constant flow of cars and people. There is also an increase in noise. She feels that people have a right to enjoy themselves on vacation, but the noise coming from the rental property travels right into her yard because the homes are close together. Ms. Jamison also feels that homes used primarily as rental properties are not kept up to the standards of Henlopen Acres and that also affects the surrounding homes.

Henry De Witt-55 Fields Ends

Mr. DeWitt states there are rental properties by his home and he has never had any issues with renters.

Gail McDermott-7 Pine Reach

Ms. McDermott also has rental properties around her and hasn’t experienced any issues.

Mr. Glen Mandalas, Esq., Town Solicitor, is also Solicitor for the city of Rehoboth Beach. Rehoboth has experienced several issues with the large rental population, especially during the summer months. He feels requiring the use of a local realtor over websites such as AirB&B may be an option. He will research the legality of such requirements. He feels the Commissioners are making the right decision by trying to get ahead of the potential problems increased rentals bring and trying to protect the residential nature of the Town.

Commissioner Frank Jamison states there is a difference in owning a home and renting it out periodically to cover the cost of home maintenance and purchasing a home simply to be used as a rental property.

Mayor Reich also noted that it’s difficult to know if we are getting all the rental information from people who rent their homes on their own and that requiring the use of a local realtor maybe helpful in capturing all the data.

There were no more public comments and the workshop was closed at 10:50am. Mayor Reich thanked everyone for their participation.

Prior to the workshop, written comments were received by:

- John Shedletsky-4 Pine Reach
- Carter Van Dyke-54 Pine Reach
- Nathalie McGregor-3 Pine Reach
- William Silverman-34 Pine Reach
- Melissa Jones-86 Tidewaters
- Raymond Crosby-77 Pine Reach

Verbal comments were received by:
Stephen O’Donnell-38 Rolling Road

These will all be made part of the permanent record.

Also in Attendance:

Chris Flood	Cape Gazette
Jeff & Wendy Jacobs	24 Rolling Road
Henry DeWitt	55 Fields End
Ted Stevenson	40 Rolling Road
Joe Hawley	92 Tidewaters
Ann Weir	62 Fields End
Gail McDermott	7 Pine Reach
Lynn Sirinek	60 Pine Reach
Bruce Cameron	5 Broad Hollow
John Scheurer	62 Tidewaters
Ita O'Donnell Snyder	38 Rolling Road
Louise Montgomery	80 Pine Reach
Leigh Jamison	90 Tidewaters

Approved 01/10/2020