

Town of Henlopen Acres

104 Tidewaters
Henlopen Acres, DE 19971

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MINUTES: Virtual Meeting of the Planning Commission of the Town of Henlopen Acres was held on **Tuesday November 17, 2020 at 10:00am** at Town Hall on 104 Tidewaters in Henlopen Acres, Delaware

PRESENT:

John Scheurer	Planning Commission Chairman
Gordon Kaiser	Planning Commission
Wendy Jacobs	Planning Commission
Mindy Peele	Planning Commission
Joni Reich	Mayor
Thomas Roth	Town Manager
Lisa Michaels	Town Clerk

ABSENT: Tim Lyons Planning Commission

[The Minutes Are Not Verbatim]

1. Call to Order – Pledge of Allegiance

The meeting was called to order 10:05 am by Chairman John Scheurer.

2. Approval of Minutes

a. September 7, 2018

A **motion** to approve the minutes from September 7, 2018 was made by Gordon Kaiser and seconded by Wendy Jacobs. **Motion** passed unanimously.

3. OLD BUSINESS

a. Discussion on Comprehensive Plan

Mr. Scheurer led a discussion on the status of the Comprehensive Plan update that the Planning Commission worked on in 2017 and 2018. The updated Plan has not been submitted to the State of Delaware. Mayor Reich encouraged the Planning Commission to send the revised Comprehensive Plan to the Board of Commissioners for review. Mr. Roth sent a copy of the revised Comprehensive Plan to the Planning Commission several weeks ago for their review. The Committee will review the Plan independently and discuss it further at a future meeting. Mayor Reich would like to see the new marina park included in the updated Plan. She would like Mr Scheurer to lay out a time table for the Commissioners, as to what needs to be done to submit the updated plan to the State. Mr Roth will check if there are any new requirements for a Comprehensive Plan update.

4. NEW BUSINESS

a. Review of Draft amendments to Chapter 130, Zoning

The Committee had an extensive discussion reviewing the Zoning Code to make relevant updates and changes.

Accessory Building or Use

They would like to update the definition of accessory structures and allow homeowners the ability to have a storage building for beach gear and bikes. This discussion will continue at a future meeting.

Building Area

Definition needs to be updated. Mr Roth will draft a new one for review.

Building Setback Line

Changed definition by removing “street line” and adding “nearest point of the property line”

Driveway

Remove the word “single” from the draft to allow for circular driveways. There was also a discussion as to whether the definition should include pervious and impervious surfaces and whether it would affect the lot coverage calculation differently. Mr Roth would like to suggest a fee permit discount to homeowners who use pervious surfaces. He will investigate if any other towns are offering incentives for using pervious materials.

Family

The definition was updated.

Fence

A definition was added.

Height Requirement

Definition will stay as is. In the event a property is higher than the street, an exception may be requested through the Board of Adjustment.

Non-Conforming Property

Mr. Roth will review the current definition and it will be discussed at a future meeting.

Non-Profit Organization

Mr Roth will update the definition to add compliance with IRS regulations.

Parking Lot

Mr. Roth will review the definition and update if necessary.

Single Family Detached Dwelling

The “outside stair” prohibition will be reviewed.

Swimming Pool

Mr Roth will review to make sure that it doesn’ t conflict with Sussex County’s current definition.

Uninhabitable Basement

The Committee wants the definition simplified.

Unobstructed

The term specifically deals with setbacks. Mr. Roth will review and it will be discussed at a future meeting.

Zoning Certificate

Definition was updated to note the terms Zoning Certificate and Building Permit were synonymous.

b. Review of Resilient Communities Partnership Impervious Surface report

Mr. Roth would like the Committee to consider if Henlopen Acres will follow the recommendations of Resilient Communities Partnership Impervious Surface report. The Committee felt Henlopen Acres has some issues with storm water runoff but not to the extent of the other towns that are part of the partnership.

c. Discussion on Wellhead Protection

The Commission briefly discussed wellhead protection. Mr. Roth will provide a map showing existing protection areas for the next meeting.

5. Adjournment

A motion to adjourn was made by Mr. Kaiser and seconded by Mrs. Jacobs at 11:05am

Also in Attendance (Virtually):

Sara Ganter	Rehoboth Art League
Scott Pinover	45 Pine Reach
Patrick Hurson	3 Zwaanendael
Stephen O'Donnell	38 Rolling Rd
David Kaplan	11 Rolling Rd

Approved 05/28/21