

ENVIRONMENTAL APPROVAL COMMITTEE

MEETING MINUTES

The Environmental Approval Committee of the Town of Henlopen Acres held a Meeting on **Wednesday, August 13, 2025, at 11:00a.m.** virtually and in person at Town Hall, 104 Tidewaters, Henlopen Acres, Delaware.

MINUTES

PRESENT:	LYNDA MOSES	COMMITTEE MEMBER
	ROGER KRAMER	COMMITTEE MEMBER
	AMY MENDELSON	SENIOR AECOM PLANNER
	ANNA FAGAN	TOWN MANAGER
	BOB RIBINSKY	ZONING OFFICER
ABSENT:	LYNDIE HERTRICH	CHAIR

1. Call to order

The meeting was called to order at 11:00 a.m.

2. Discussion of proposed amendments to Chapter 114, Trees, and their application to plan submissions under the current Protected Canopy Tree Removal Moratorium

There was an extensive discussion about the impact of Chapter 114 amendments on the Environmental Approval Committee process, with a focus on new construction projects and the prevention of clear-cutting by property owners.

Anna Fagan, Town Manager, highlighted that the primary concern was the loss of mature trees due to new construction, and the amendments aim to encourage retaining mature trees on lots.

The moratorium on tree removal rules was extended to January 2026 by a 4-3 vote to allow time for resolving equity concerns and legal loopholes.

The revised Chapter 114 requires minimum tree density based on lot size, with at least 60% canopy shade trees and up to 40% non-canopy evergreens.

Concerns were raised about the long-term application of new rules, including whether they should revert to old rules after a certain time threshold or upon generational transfers of properties.

Materials for the upcoming meeting with the Unger's tree plan were reviewed. The plan proposed retaining five existing trees and planting three new trees to meet the required tree density. Some discrepancies were noted in the submitted plan, so a revised plan will be requested. The committee suggested conditional approval for the Unger's plan, allowing them to proceed with county permits while awaiting final tree plan revisions and arborist evaluations.

The committee discussed the need for certified arborist evaluations to verify the health of trees proposed for removal, especially for diseased or dying trees. Bob Ribinsky, the Town Zoning Officer and Ms. Fagan agreed to conduct site visits to verify tree health and ownership, with Jay Ashby, the town arborist, providing formal reports when necessary.

The committee discussed whether tree removal permits should be separate from building permits for new construction projects, with Amy Mendelson suggesting permits for documentation purposes but not additional fees.

3. Discussion of any pending requests

Ms. Mendelson reviewed upcoming projects, including 15 Tidewaters, 39 Rolling Road, and 53 Rolling Road, noting that these reviews will help refine the implementation of Chapter 114 amendments.

Amy Mendelson stated that 15 Tidewaters exceeded their tree density requirements by preserving eight canopy trees, raising questions about whether additional evergreens are necessary.

The committee discussed the Art League's parking lot project, which will use pervious materials and involve aesthetic considerations, with a presentation from Sarah Ganter planned for a future meeting.

Updates were provided on ongoing projects, including 47 Pine Reach and 73 Tidewaters, with discussions on timelines, extensions, and compliance with town and county codes.

4. Adjourn

The meeting was adjourned at 12:17 p.m.

Respectfully Submitted,

Andrea Harpster, Town Clerk