**Minutes**

Comprehensive Development Plan Working Group

July 16, 2016 Meeting

Lighthouse Cove/Ruddertowne BayCenter

124 Dickinson Avenue, Dewey Beach DE 19971

**9:00 am Open.**

The meeting was called to order by Chair David King. Present were Working Group members Elaine Bole (by teleconference), Jim Dedes, Dave Ferry, Julie Johnson, Steve Judge, Beth Caruso, Bill Lower, Jimmy O’Conor, Gary Persinger, TJ Redefer, Mark Richardson, Paul Roessel, Larry Silver, and Kay Sullivan; Ad Hoc member Jim Tyler, Town Mayor Diane Hanson and Commissioners Dale Cooke and Mike Dunmyer; and members of the public, including Fran Weintraub and Monty Montgomery.

Approval of the Agenda. Because Elaine Bole was not present for the 11:10 agenda item, there was consensus to provide additional time as needed for the other items and to move David King’s presentation in the 9:40 slot to the end so as to provide ample time for TJ Redefer.

Approval of June 25, 2016 Draft Minutes. A motion was made and seconded to approve the draft minutes with minor editorial amendments, and passed by unanimous voice vote.

**9:08 am Discussions and possible consensus approvals of updated draft sections on history & vision and objectives & goals – David King (history & goals) and TJ Redefer (vision)**

**History.** Since the last viewing of the “history & vision” document some culturally important structures and events were added, and the objectives were updated to be consistent with the language approved by this group earlier. Areas of discussion included:

* Many eateries and restaurants identified as “Best in Delaware” for signature or specialty offerings; Hyatt recognized as best hotel in Coastal Delaware
* Want to be more general than specific in some areas
* Sunset & Monigle Parks are Town landmarks but are poorly maintained – need to be improved. We do have parks that are not cared for on a regular basis. Is a bench with a plaque a park? This is an area for future discussion – to create future gathering places for sunset viewings – but doing so will require commitment by the Town and a lot of work. Sunset views are available at end of any street on Bay – maybe want to focus on creating a gathering place.

**Vision.** TJ talked a little about vision for community, for environment, for government, etc. Some comments included:

* It is good to talk about visions for the future, but one needs to ask, “Will Dewey even be around in 50 or 100 years?” Need to care about the environmental issues that will result in an increase in the life of Dewey. This should not only be about making Dewey a better place in the short term, but in ensuring its survival.
* First include a vision for safety and security, especially after the terrorist attack in Nice.
* Three key words, “safe, respectful, and helpful”
* Most other neighboring town comp plans focus on “preserving the existing housing stock.” Some see the situation in Dewey differently, as an evolution of housing that succeeds in protecting the natural environment and preserves the existing resort and/or neighborhood character of the various communities in Town – the way people interact and what is great about the Town, not static structures.
* With rising sea level, need a vision for zoning that leads to new zoning and building codes to adapt to sea-level rise, like Miami Beach is doing
* Vision should be broad and large, but we need to also be cognizant that the timeframe of this plan covers a 10 year period

TJ will continue to develop narrative related to visions in four or five areas.

**9:43 am** **Status update on surveys, mailing and handouts – Elaine Bole**

Gary has established a contract with Survey Monkey, loaded the survey instruments onto Survey Monkey’s web site, and provided the Working Group with URLs to access them. However, Elaine indicated that there was no introductory letter for the visitors’ survey and, more important, there was no survey at the visitors’ survey site. [Editor’s note: checking the given URLs on 7/18 showed that both surveys were accessible at that time.]

Minute Man will be mailing post cards to property and business owners once the survey has been approved by the Town Commissoners. The plan is not to use table tents and cards for the businesses, but provide them with Plexiglas holders and business cards. As of right now, the mailing should be ready to go out on July25, and Julie and Beth will walk the Town to pass out business cards and holders out to the in-town businesses on July 25.

A question was raised about approvals by the Town Commissioners. David King noted he provided the links to the Town Commissioners several weeks ago and has heard nothing from them regarding the final language. Dale Cooke noted that many of the Commissioners either don’t have or haven’t looked at the final version of the proposed survey instruments, and that the Town Manager will not approve sending out any post cards, etc. until the Town Commissioners have signed off on the survey language. Several Working Group members indicated a desire to have review and approvals by the Commissioners prior to taking the surveys live.

As an action item, David King will provide the Town Commissioners with the current language and a deadline for feedback/input from them to the Working Group. [Editor’s note: the links were provided to the Commissioners on 7/18 with a request for written feedback regarding any requests for additions, deletions and/or amendments by cob items by 7/21. There was no feedback within that time frame. Since then, the Commissioners, Town Manager and Working Group Chair have agreed to include review of the survey language in a joint meeting to be held on Saturday August 13.]

**9:58 am Continuation of discussions and possible consensus approvals of updated draft sections on history & vision and objectives & goals**

**Objectives & Goals.** David King indicated the present document is his best effort to update as per earlier discussions. The first 6 pages of this document include the current version of the Working Groups draft objectives & goals; pages 7 – 16 include excerpts of the relevant portions of the Working Group’s meeting minutes.

TJ Redefer succinctly put it, in essence: There are parts of this document that give me heartburn. But we all understood at the beginning that there would be parts of the final plan that we liked and parts that we didn’t. And that this draft is a good document to send on to the Town Commissioners for their review and feedback at a joint meeting on August 13th.

There was a general consensus behind using this draft document as the basis, in part, for discussions with the Town Commissioners at a joint meeting.

**10:03 am Initial discussions regarding Economic Development – Larry Silver**

Larry Silver noted that his primary concern is the lack of a capital plan. Bethany has a capital plan that lists specifics it hopes to achieve in the coming 10 years; Rehoboth’s capital plan is more vague. Dewey does set aside “rainy day funds” from the operating budget for general uses, e.g., infrastructure. There are two steps to forming a capital fund: 1) determining what needs to be done; 2) deciding how to fund these activities. The Town needs short- and long-term capital improvement plans; the Town is in good condition for day to day operations, but has no plan for capital improvements.

Comments included:

* Strong support from Working Group members that this is an important issue.
* David King noted that it is within the purview of the comp plan to say there needs to be a plan – to address sea-level rise preparedness, sidewalks, lighting, water and sewer capability, etc – and possibly establish milestones toward creating a plan and funding it.
* Jim Dedes noted that in conversations with the Town Manager, the Town’s view is that it does have enough money to address small issues.
* Ultimately, to establish and fund a comprehensive capital improvement plan the Town needs a reliable funding stream; which essentially means some form of a property tax. Larry Silver noted that a tax to fund infrastructure is different from a general property tax.
* Can’t talk about funding needs until you have an assessment of needs, costs, and time frames. Town is okay today in terms of day to day operations, but has no current understanding of what might be required for improvements to its aging infrastructure and new Town Hall, and to fight to survive against sea-level rise.
* “Funding” the plan can include grants and State loans.
* The Town is unclear on who is responsible for certain types of repairs/improvements, for example, to the storm sewer system.
* Need to begin to think about amenities for seniors, including senior access to the beach.

David King suggested the area of “economic development” also include a broader range of issues, including that the Town should :

* take a firm hand in managing and directing its economic evolution
* change zoning in commercial & residential districts to encourage economic expanded activity
* provide an expanded range of activities to bring people – property owners and their families, and visitors – into Town in the off seasons
* work towards improvements and amenities to give patrons more reasons to visit and stay in Dewey
* re-thinking zoning related to B&B and guest houses, h/motels, small condominiums
* establish a Main Street project to attract more diverse businesses
* thinking how to enhance the residential rental experience
* totally rethink parking, especially to help businesses and residential property owners: when, where, how to regulate & provide guidance to people trying to park

**10:27 am Initial discussions regarding Public Safety – Julie Johnson**

Julie’s initial comments included that 1) the biggest concerns seem to be enforcement of nuisance “crime” and whether we need a jail here in Dewey or not, and 2) her scheduled meeting with the Dewey Police got canceled and will be rescheduled.

Other comments included:

* Consider alternative transportation to treatment/holding facilities to keep Dewey Police in Town
* Need to focus on the source of the problem: stop drunken behavior rather than trying to deal with so many drunks/building jails. Other communities have solved similar problems without going the jail route.
* Other beach towns have vibrant night life; maybe it is not a source issue, these people and behaviors would not be tolerated in Key West or Rehoboth. What is it about Dewey that stimulates bad and disrespectful behavior?
* It appears that some progress has been made with group homes to tone down the problem
* Maybe the problem derives from having so many large capacity restaurant/bars, resulting in some 9,000 restaurant and bar patrons walking out onto the streets at 1:00 am while carrying their boisterous behavior out with them -- even if it is clearly disrespectful to the other stakeholder groups, including families and seniors who are quietly enjoying the evening or asleep

Other public safety issues briefly mentioned included:

* It is unsafe to walk & bike along/across SR-1
* Flooding resulting from sea-level rise issues
* Sidewalks not ADA compliant
* Lack of lighting on side streets (tripping hazards)
* Updating of Emergency Management Plan, especially with consideration of sea-level rise issues
* Issues related to events with large crowds that are not properly organized and managed

**10:40 am Initial discussions regarding Quality of Life – Bill Lower**

Bill began by thanking the Bay Center/Hyatt Place staff for their hospitality, and making some comments, including:

* Providing a handout including minutes of a year or so of meetings by the Town’s Quality of Life Committee in the 2012 – 2014 time frame
* The main issues identified and addressed by that committee included objectionable noise; disorderly houses and dwellings (including noise); unkempt properties; sufficient lighting for residential streets; and creation of a neighborhood watch program (overlapping with public safety concerns)
* The Town is still largely dealing with these same issues because they are not easy to resolve
* Mayor Hanson emphasized that there is only so much the Town can do from a legal perspective regarding noise from bars and restaurants, and that in residential areas peer pressure seems often to be effective in ramping down unconstrained exuberance
* QOL pervades every meta-issue
* In terms of QOL, need to focus on the great aspects of our community, like the ocean and bay

Positive and negative attributes provided by the Working Group, included:

* The QOL Committee’s charge was to try to resolve problems, not to build on positive aspects; need to keep that in mind in reviewing their past minutes
* Walking to the beach is a big thing; it’s the beach - stupid
* Kayaking in the bay and all the little nooks and crannies in the bay have to offer; need to leverage the bay to take Dewey to the next level
* QOL means ensuring Dewey continues to exist – continuity is critical
* Fun; good energy; can wear flip flops year round; good food and good drink
* Dog friendly
* Family friendly, and increasingly so
* Relaxed place as beaches go; you do your thing and I can do mine; sports and bon fires on the beach; relaxed attitude on the beach permeates the Town; friendly
* Two beaches – bay is possibly more spectacular than the ocean beach but is clearly underutilized and under appreciated by the Town and residents/visitors
* Every recreational amenity possible – something for everyone – within walking distance
* World class beach, ocean waters and lifeguard program
* Very safe for children; people leave their doors unlocked
* No mandate within the Town to protect and preserve the beaches and natural environment (other than the Replenishment Fund)
* Bay waters are polluted, and unhealthy in many areas
* Other negatives included: disrespect from the weekend warriors (including the children of long time property owners) who party hard and have no respect for others in the community; taking of public property for private use (public right of ways, encroachment for driveway entries, public easements, etc); trash and litter on the streets (trash situation getting better); run down homes are eyesores and bring down property values across Town; parking and public transportation, also traffic on SR-1; power lines being a safety issues and an eyesore; lack of lighting on side streets (walking and personal safety hazard); sidewalks hazardous

Bill asked everyone to review the handout he provided from the QOL Committee prior to the next set of discussions on this topic, and come prepared to discuss specific factors or attributes that enhance or detract from our individual QOL that can lead to subsequent discussion and actionable public policy.

**11:05 am Continuation of discussions regarding the Built Environment – TJ Redefer**

TJ began by making the following comments:

* Elements of the built environment intersect with all of our other meta-issues, natural environment, QOL, etc
* SR-1: needs improvement
* Power lines: need to go underground wherever possible
* Storm water management: we don’t even know what is going on
* Mailboxes and parking, right of ways: needs to be a higher standard so we appear to be a town
* Distressed properties: blights on the town; conflict of individual versus community rights
* Zoning: commercial? NR versus RR residential? How to keep quaint look of the Town? Possible policy solution would be to downsize zoning in the RR district or combine NR & RR districts with zoning similar to what is now in effect in the NR district

Other input, included:

* A proper role of the comp plan working group is to propose the redrawing of zoning districts; to set out policy issues to subsequently be addressed by the Planning Commission
* A lot of concerns that the Working Group is not the right group to “rezone” the Town versus determining proper uses of the various parts of Town
* The Planning Commission spent a lot of time in 2013-2014 talking about zoning issues, and decided to leave final decisions to the Comp Plan working Group.
* Recently several properties on the south side of Rodney Ave were rezoned from commercial (RB-1) to residential (RR). This process included an application from the owners to build a residential-use structure, a public hearing by the Planning Commission, public hearings by the Town Commissioners on this application and on the issue of changing the zoning maps in the existing 2007 comp plan, request to the State to amend the Town’s comp plan (including a State PLUS review), and back to the Town to 1) amend its comp plan and then 2) approve the application.
* During this process the Town learned that mixing commercial and residential use on the side streets is problematic in terms of parking, pedestrian and vehicle traffic, and front yard setbacks (22’ for residential use but only 6’ for commercial or mixed use).
* There is a small area between Houston, Bayard and SR-1 that is zoned NR (as is the north end). This small area is abutting an RR-zoned community and separated by the buffer zone of SR-1 from the rest of the Town’s NR district. Additionally, about half the buildings are more compatible with what can be built in the RR zone, and which could not be built today under existing zoning.
* Need to focus on future building. Cannot change what is there, but can influence what will be built next. There is really no more open land for development. Redevelopment will largely be one lot at a time.
* There are a number of properties with multiple cottages on substandard lots. What can we do with them/for them? Today they cannot be improved or replaced as built. And this leads to the continuation of dilapidated structures that are an eye sore and fire hazard. David King stated he felt it was the purview of the Working Group to recommend policy, perhaps relaxing zoning for such circumstances, or condemnation of such structures, or establishing code that would provide some path forward for owners of such properties that would then be acted on by the Planning Commission. Otherwise these properties will become increasingly more run down.
* Zoning criteria should support the positive attributes of the Town, stimulate economic activity, and enhance the overall QOL; such goals are appropriate for the Working Group to recommend. Specific changes in zoning regulations to achieve these objectives are better left to the Planning Commission.
* It would be good for simpler zoning – fewer districts and more coherent regulations across this very small town. Especially since the Town is essentially fully developed.
* Zoning drives economic development, and therefore zoning is a part of the comp plan. We need to add direction, and to keep it simple.
* David King also reminded the Working Group of the 2015 recommendation from the Planning Commission to this Working Group regarding changes to the zoning map and zoning code.

As the result of the concerns regarding changing zoning designations and regulations, is for the Working Group to schedule a joint meeting with the Planning Commission to discuss land use and zoning regulations.

For the next set of discussions in this area TJ Redefer asked for people to come prepared to discuss actionable goals for zoning and the built environment.

**11:38 am Initial discussions regarding Town Hall – David King**

David provided some initial comments of what he feels fits in this meta-issue, including:

* Implementation of an e-government program: all Town business can be conducted on-line & remotely and the Town has email address for most/all property owner and business owner to facilitate communications
* Implementation of a year round educational and recreational program geared toward families and driven by the Town’s interests
* Implementation of a comprehensive review of Town resources and services with an eye toward 2027 requirements; including design for a new Town Hall
* Uniformity of Town code; enforceability of the Town Code; enforcement of the Code in a manner that solves problems and is not biased nor unfairly penalizes any individual
* Review of the Town Charter: is it being followed, and will it be germane as the Town grows and evolves over the next decade?
* Establish policy that will guide actions for when sea-level has risen by 3’ from its current level
* Stewardship issues, including protecting what is important to us, i.e., the natural environment and infrastructure (clean water and effective sewage removal)

Additional comments included:

* Consideration given to the purchase of open space as lots become available
* Concern that “uniform enforcement” sounds fine by might lead to the DMV approach to code enforcement. Code enforcement should be taken from a problem solving perspective.

11**:47 Comments, Homework Assignments, and Closing**

Anyone with comments and thoughts related to economic sustainability, public safety, quality of life and town facilities and operations were asked to send them to the relevant lead person by Thursday of the coming week.

The next meeting is July 30, 2016 at the Bay Center on Dickinson Ave., 9:00 am to noon. With no further comments there was a motion to adjourn and a second. There was no discussion, and the motion passed by unanimous voice vote. (11:49 am)