

Minutes of the  
TOWN OF DEWEY BEACH  
PLANNING and ZONING COMMISSION  
MEETING  
Friday July 21, 2017, 6:30 pm  
At the  
Dewey Beach Lifesaving Station  
1 Dagsworthy Avenue, Dewey Beach, DE 19971

The Chairman of the Planning Commission, Mike Harmer, convened the Planning Commission public hearing and meeting at 6:30 pm, and opened with the "Pledge to the Flag." Marty Seitz was absent. Commissioners present, as determined by affirmative responses to Roll Call included Mike Harmer, Jim Bielicki, Jim Dedes, Don Gritti, Mark Nordquist, and Jimmy O'Conner. Mr. Fred Townsend, Town Attorney, was present to support the Commission in its deliberations. Members of the public were present including Mayor Dale Cooke, Town Commissioner Gary Persinger, and Mr. Chris Flood.

The Commissioners discussed what type of work should require town building permit fees. A motion was made and seconded and unanimously approved to recommend to the Town Commissioners the following permit fees wording in Section 71-4 to be modified as suggested below:

§ 71-4

Fees and conditions for permits.

A. The required fee for permits issued pursuant to § 71-3 hereof shall be established by resolution of the Commissioners, and listed in the Schedule of Fees for the Town.

B. The permit application fee shall not be refundable.

C. All construction, repairs, alteration, or additions shall comply with the requirements of any Building Code adopted by the Town, Chapter 185, Zoning, and the Town ordinances, all as amended from time to time.

D. A building permit shall not be required for normal maintenance requiring less than \$1,000 of material costs.

[Amended 6-9-2006 by Ord. No. 573]

Proposed Changes to above Item D.

A building permit shall not be required for normal maintenance/repair and labor requiring less than \$2,500 of material /labor costs. Examples of maintenance/repair are: screen replacement, painting, carpet replacement, fence repair, lawn maintenance, and similar non-construction activities.

The Commissioners discussed what items the Planning Commission would like to see in Conditional Use Applications in an effort to clarify and streamline the process for Applicants. A motion was made and seconded and unanimously approved to recommend to the Town Commissioners the following checklist to be followed when Applicants submit:

### Planning Commission Process for Restaurant/Eatery

Upon receipt of the application for a restaurant or eatery, based upon **Chapter 144.2. Application for restaurant permit of compliance**; as referred by the Commissioners or the Town Manager; the Planning Commission Chair or Vice Chair, shall review the documentation submitted. Upon review of the application the Chair or Vice Chair may ask for additional information prior to scheduling the application for a public hearing before the Planning Commission. Additional information required shall include the following:

- Stamped survey of the property by a licensed engineer or surveyor,
- Site plan delineating the square footage of the structure including setbacks for zoning compliance,
- Floor plan specifically showing placement of tables and chairs, bar area, serving area, bathrooms, storage area, and square footage of each- this applies for both internal and external eating and bar areas. This must clearly show square footage and measurements of above.
- Landscape plan,
- Location of trash/recycling cans,
- Location of delivery of food and materials for restaurant,
- Whether live music or amplified music will be included, and if so specify location, and type of noise reduction materials will be used for sound proofing.
- Material used for exterior of structure, location of doors and windows, including garage type doors used for eatery.

The Chair or Vice Chair will advise the applicant of the additional information, if required. Once the Chair or Vice Chair determines that the material presented is complete, applicant will be notified of the date and time of the public hearing.

(Note; this process is intended to assist applicant, commissioners and public in expediting a public hearing that contains sufficient documentation for a thorough and efficient hearing reflecting a complete review of application)

Chairman Harmer opened the Draft Comp Plan public hearing and described the subject of the hearing and procedures to be followed during the public hearing. The public hearing regarded a discussion amongst Commissioners and the public on the current Draft Comprehensive Plan. Several comments were made and noted which it was agreed that the comments would be consolidated into another Draft and re posted for a Public Hearing and discussion on August 12, 2017.

Commissioner Dedes moved that we adjourn the meeting. Commissioner O'Conner seconded the motion, and the motion passed by unanimous vote of the commissioners.

Respectfully Submitted,

Commissioner Mike Harmer  
Chair, Planning Commission