

March 2011

Rehoboth Beach Homeowners' Association

Incorporated 1971

President's Message

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One Vacancy

This newsletter is published by the RBHA four times a year as an informational and educational tool for its members. Content is determined by the Communication Committee with guidance from the Board. Contributors include RBHA staff and other members of the community.

We welcome your comments and suggestions.

Editors —

— Charlie Browne, Editor
— Stan Mills, Layout



Email-
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RBHA
P.O. Box 41
Rehoboth Beach, DE 19971



It's a new year and a new decade. Maybe I will use that as the topic of the next President's Message.

For the moment I would like to take a look back to 2010 – the year that just ended. It is the only year I remember in Rehoboth Beach which started and ended with lots of snow.

For RBHA the year began with members volunteering to assist with DNREC's beach grass replenishment project on the third Saturday in March. After the snowy cold winter, we were rewarded with a spectacular spring day for planting beach grass. The morning was sunny and warm. By midmorning, everyone had removed their coats and were working in T-shirts. While the beach grass plugs that we put in the sand that morning did not look like much, I went back in June and was delighted to see lush thick grass growing in the places we had worked.

In April we were pleased to have Mayor Sam Cooper as the speaker for our spring general membership meeting. Mayor Cooper provided an overview of the city's budget for the year, discussed the reconstruction of the boardwalk, provided an update on the replacement of the City's waste disposal system, and reviewed the status of the beaches and dunes.

The candidate forum that RBHA sponsors in conjunction with Camp Rehoboth in July was cancelled as there was an uncontested election. In September RBHA once again coordinated Coastal Cleanup within the City of Rehoboth. For the past several years this activity has been organized by site captain Howard Butler. Howard has announced that he is retiring from his job as site captain. Thank you to Howard for your excellent work over the past several years.

The RBHA Annual Meeting was held in October at Camp Rehoboth. Our featured speakers were Ted Boyle, Treasurer, and Mike Simpler, President, of the Rehoboth Beach Volunteer Fire Company. A summary of their remarks is found elsewhere in this Newsletter. At the conclusion of their presentation, RBHA donated \$2,500 to the Fire Company's capital campaign. I encourage all RBHA members learn more about our Fire Company by visiting their website and to consider a personal donation to the capital campaign.

Continued next page.

President's Message, continued from previous page.

Later in October, RBHA sponsored an appreciation breakfast for Rehoboth Beach city employees. The employee appreciation breakfast has become an annual tradition. It allows you through your homeowners' association to show the people who make our city work that we notice and care. This year's breakfast was coordinated by Jennifer Duncan.

The Rehoboth Beach Historical Society has received a matching gift challenge pledge from an anonymous donor. The donor will match gifts of \$1,000 or more. In November RBHA donated \$1,000 to the Historical Society. The Historical Society, in case you do not know, runs the Rehoboth Beach Museum. If you have not visited

the museum, make this one of your resolutions for 2011. When you visit the museum, join the Historical Society. The cost is modest and allows unlimited free admission to the museum.

As we begin the new year, the RBHA Board has one vacancy. Please consider joining the Board. We could use your help. The time commitment is small. We meet 10 times a year on the third Saturday of the month for 90 minutes or less. We are all busy folks, and no one on the Board gets to every meeting. So do not let that hold you back. If you are interested or would like more information, please contact us at info@rbhahomeowners.com.

Sincerely, *Charlie Browne*

Charlie Browne, RBHA President

Summary of RBHA Meetings

June 19, 2010 – RBHA Board Meeting - Summary

The current bank balance is \$17,830.34 with \$5,965.66 in the checking account and \$11,864.68 in the ING account. The Board reviewed a list of local organizations for potential donations in 2010. It was proposed that we invite the Fire Company to speak at the RBHA Annual Meeting in October and make a \$2,500 donation to the Fire Company's capital campaign. Judy Mellon and Steve Angle will contact the Fire Company and arrange for a speaker. Howard Butler will again coordinate RBHA's participation in Coastal Cleanup.

July 2010 Candidates Forum – Cancelled *(uncontested election)*

August 21, 2010 – RBHA Board Meeting – Summary

The current bank balance is \$17,609.12 with \$5,725.86 in the checking account and \$11,873.44 in the ING account. Coastal Cleanup will be September 25th with Howard Butler as our coordinator. The speakers for the Annual Meeting are set. Charlie Browne will make arrangements for refreshments at the Annual Meeting. RBHA will again sponsor an employee appreciation breakfast for City of Rehoboth Beach employees. The date is not yet set.

September 2010 RBHA Board Meeting (No Meeting – Coastal Cleanup)

October 16, 2010 - RBHA Board Meeting - Summary

The Treasurer's Report was given at the Annual Meeting which immediately preceded the Board Meeting. The Board approved donations of \$500 each to Camp Rehoboth and All Saints' Episcopal Church. Additional donations will be discussed at the November Board meeting. Officers for 2011 will be: Charlie Browne, President; Greg Gause, Vice President; Robert Miller, Secretary; Steve Angle, Assistant Secretary; Marcia Maldeis, Treasurer.

November 20, 2010 - RBHA Board Meeting - Summary

The current bank balance is \$14,653.11 with \$2,742.31 in the checking account and \$11,911.80 in the ING account. We have 557 members for 2010. Joe Achenbaum was appointed to the Board to fill a vacant position. Jennifer Duncan did a suburb job in coordinating this year's Rehoboth Beach City Employee's Appreciation Breakfast. The Rehoboth Beach Historical Society has received an anonymous gift to match all donations at or above \$1,000. The RBHA Board approved a donation of \$1,000 to the Historical Society.

December 2010 – The RBHA Board does not hold a meeting in December

* * *

October 16, 2010 -

RBHA Annual Membership Meeting

The Rehoboth Beach Homeowners' Association held its Annual Membership Meeting on Saturday, October 16, 2010, at Camp Rehoboth. The current bank balance is \$17,262.09 with \$5,359.85 in the checking account and \$11,902.24 in



the ING account. Greg Gause was re-elected to the Board of Directors.

Ted Boyle, Treasurer, and Mike Simpler, President, of the Rehoboth Beach Volunteer Fire Company, were the guest speakers and gave members an overview of the Fire Company, its operations, and the capital campaign.

A brief summary of their remarks follows:

The RBVFCo started in 1906. The difference between a volunteer fire company and a career fire company is that career firemen live at the station and volunteer firemen come from their homes. The company has 16 units and about 60 active members. RBVFCo operates two and one-half fire stations. One is on Rehoboth Avenue. One is by the old airport. The fire station on Route 24 is managed jointly by RBVFCo and the Lewes Volunteer Fire Company.

The RBVFCo coverage district goes south to Indian River and out Route 24 including areas like Angola and Burtons Pond. The annual budget is \$1.2 million. EMS are the only paid staff and are on duty 24 hours a day. State, county and city contributions to the fire company were cut last year due to the economy.

Among the extra services the fire company offers are fire prevention seminars, safety demonstrations and sending a fire truck to children's birthday parties.



The siren at the Rehoboth fire station operates from 6 a.m. until midnight. It only sounds for major calls such as a structural fire. It does not sound for ambulance calls. The siren runs for 10 cycles.

The fire company sends out a mailed request for donations annually to the homeowners in its coverage area. About a 38% respond each year with a donation. The fire company never makes telephone calls requesting a donation. If you receive a telephone solicitation for a contribution to the fire company, please ask whoever calls to mail you more information and then report it to the fire company.

The capital campaign is to replace the building at the old airport site off Route 1 which began as a donated hanger from the old airport.



L-R. Mike Simpler,
Charlie Browne, Ted Boyle

Their presentation was followed by a question and answer period after which the RBHA donated \$2,500 to the Fire Company's capital campaign. RBHA members are encouraged to make individual contributions.

You Are Invited !

RBHA Spring General Membership Meeting

Saturday, April 16, 2011 – 9:00 a.m.

All Saints' Episcopal Church

**Guest Speaker: Nancy Alexander – Executive Director
Rehoboth Beach Historical Society**

RBHA BOARD MEMBER PROFILE

INTERVIEW WITH *Judy Mellen* — *By Steve Angle*

Judy Mellen joined the Rehoboth Beach Homeowners' Association shortly after she and her husband David purchased their first Rehoboth home in 1988. She and David used the first house, located in the Pines, until 1996, when they bought their current residence on Rodney Street. The Rodney Street house provides the room they need for frequent houseguests, including the couple's two grown daughters and four grandchildren.

Judy has throughout her adult life taken a keen interest in social issues. She earned an M.A. from the University of Michigan in Special Education/Reading. In Michigan she worked as a therapist at Children's Psychiatric Hospital of the University of Michigan Medical Center. Moving to Delaware, she worked at the Pilot School, becoming Director of Educational Services. She also served on the Winterthur Museum Compliance Committee for § 504 of the Civil Rights Act. In 1986, Judy became the Executive Director of the Delaware affiliate of the American Civil Liberties Union, a position she held until her recent retirement. Under her watch the organization became a much more influential component towards remedying situations that impinged upon the civil liberties of Delawareans.

Both Judy and David have maintained active commitments to civic affairs both in New Castle County and in Rehoboth Beach. David, an engineer who retired as a research fellow for Dupont and continues half time consulting for the company, serves as Vice Chair of the Rehoboth Beach Planning Commission. Judy has provided services to many organizations in Delaware, including, among numerous others, the Governor's Advisory Council for Exceptional Citizens, the Wilmington Civil Rights Commission, the Delaware Center for Justice, the Delaware HIV Consortium, the Wilmington National Organization for Women, the Mentor Program at the women's prison, the New Castle County chapter of Council for Exceptional Children, the Delaware chapter of the American Jewish Committee, the United Way of Delaware, and the Wilmington Jewish Community Center. In these organizations, Judy has,

at various times, served as a board member, committee chair and in executive roles. For her efforts, Judy has received the Liberty Bell Award from the Delaware Bar Association in 2001, the Kandler Award from the ACLF in 2006, and the Vrooman Award from the Delaware Center for Justice in 2009.

During her 2½ days in Wilmington, she continues her active board involvement in the Delaware Center for Justice, Stand Up for What's Right and Just (SURJ) and the board and legal review committee of the ACLU. Working towards becoming a full time resident of Rehoboth, she has been a member of the Sussex-Kent Committee of the Child Placement Review Board, recently adding membership in the Executive Committee. She is very active in the Sussex Fund for Women Development Committee, helping them surpass the goal of 100 members.



RBHA is fortunate to have had the services of Judy continuously from the late 1980s. During this time Judy worked with the Finance Committee, was appointed to the Board by the former president Hoyte Decker, and continues as an active and highly supportive member of the Board. She has actively worked to make RBHA an inclusive organization that represents the interests of all segments of the Rehoboth Beach community and maintains a strong civic commitment.

On a personal note, Judy, who claims she does have spare time, uses that spare time cooking, with a focus on Italian cuisine. A voracious reader, she also enjoys relaxing on her screened porch at the back of the house with family and friends, where she can appreciate the garden view.



If you have not provided RBHA your email address and would like to receive RBHA's email updates, please contact us at info@rbhomeowners.com. It is a great way to get information about what is going on and to stay informed about current issues. If you previously provided your email to us but are not receiving our email updates, please update your email address.

Your RBHA has been Active!



City Employees Appreciation Breakfast

The Annual City Employees Appreciation Breakfast was a tremendous success thanks to Jennifer Duncan and her RBHA volunteers. More than 40 employees were served a variety of bagels, baked goods, fruit, coffee and juice. Jennifer expressed her thanks to the volunteers who helped with the event, including Elaine Boyle, Howard Butler, Marcia Maldeis and Stan Mills.



RBHA Volunteers, L-R.
Howard Butler, Elaine Boyle, Marcia Maldeis, Jennifer Duncan

International Coastal Cleanup



The weather was brisk and the volunteers, many of whom arrived earlier than our normal 9 a.m. start, nevertheless were eager to get underway and underway they got. A grand total of 100 plus strong, covering the entire spectrum of age groups. Greatly assisting in the activities were Jennifer Duncan, Greg Gause, Judy Mellon and my wife Bernadine Butler all members of the Rehoboth Beach Homeowners' Association (RBHA), who once again volunteered to be in charge of the Cleanup. Loads of "stuff" was reported and again winning the numbers was cigarette butts totaling in the thousands. Looking forward to this years cleanup, the members of RBHA are ready and able to carry on the tradition. Come join us this coming September.

— Howard Butler, Site Captain



L-R. RBHA
Coastal Cleanup Leaders.

Howard Butler
Bernadine Butler
Jennifer Duncan

RBHA Donates \$1,000 to Rehoboth Beach Historical Society

The Rehoboth Beach Historical Society has received a matching gift challenge from an anonymous donor in the amount of \$50,000. The anonymous donor will match any gift of \$1,000 or more from now until December 31, 2011, or until the amount of the gift is used. The RBHA Board of Directors on behalf of the members donated \$1,000 to the Historical Society in November. The Historical Society welcomes donations of any size. Your donations will help the Historical Society's museum and its activities including expanding exhibits and programs for the community. In addition to donations, RBHA members may wish to join the Historical Society. Members receive among other benefits: unlimited free admission to the museum.



L-R. Steve Angle, Marcia Maldeis, Charlie Browne, Greg Gause, Nancy Alexander, Judy Mellen

For more information on the Historical Society, please attend the RBHA General Membership meeting on April 16. Nancy Alexander, Executive Director of the Historical Society will be our guest speaker.

Beach Grass Planting Postponed One Year

Beach grass planting is an annual activity sponsored by the Department of Natural Resources and Environmental Control. RBHA volunteers regularly participate in this endeavor which strengthens the integrity of our dune system within Rehoboth Beach. With beach nourishment and the accompanying rebuilding of some of our dunes damaged in the storm of November 2009 taking place post-beach grass planting season, DNREC has cancelled the planting event for 2011 in RB.

We look forward to resuming this important activity next year!



The RBHA welcomes your participation!
We have committees that could use *your* input.

Membership Committee— develops and implements programs for increasing and maintaining membership.

Environment Committee — works to improve and sustain natural assets that are important to the City.

By-laws Committee — ensures the By-laws effectively support operation of the RBHA in accordance with its stated purpose.

Ordinance Committee—examines the City Code and makes recommendations about updating the document.

Communications Committee — responsible for keeping the membership informed.

Budget Committee — works with the Treasurer to maintain oversight of RBHA finances.

If you are interested in being on a committee or helping out in any way, please let us know. The RBHA is productive only with the assistance and contributions of its members. We particularly encourage and need the assistance of members to help with the newsletter, assist with our email updates to members, and attend and report on city meetings.

We also have an opening on the Board of Directors.

If you are interested in serving on a committee, assisting with the newsletter, serving on the Board or contributing in any other way to RBHA, please get in touch with us at info@rbhomeowners.com or contact RBHA President, Charlie Browne, at charlieandrod@msn.com or 302-227-4070.

COMMUNITY CALENDAR 2011

March

- 12-25 "Young at Art."
www.rehobothartleague.org
- 18 Commissioners Meeting,
7 PM City Hall
- 19 RBHA Board Meeting 9 AM
CAMP Rehoboth Commu-
nity Center, Baltimore Av.
All are welcome**
- 24 AUCE Pancake & Sausage
Breakfast, 8:30-11:30 AM.
Cape Henlopen Senior Ctr.
227-2055
- 26 Merchants' Attic II—States
Largest Indoor Garage Sale!
RB Convention Hall.
9:30AM — 1:30PM. Free;
donations welcome.
www.beach-fun.com
- 28 Board of Adjustment,
7 PM City Hall

April

- 2-3 14th Annual Home & Land
Expo. Free. RB Convention
Center. Saturday 9-6; Sun-
day 1-4. Over 50 exhibi-
tors: Realtors, builders,
home service companies.
Benefits Habitat for Human-
ity. Sponsored by Rehoboth-
Today.com, LewesTo-
day.com, the Cape Gazette
newspaper and Comcast
Spotlight. Information 302-
645-0225
- 4 Commissioners Workshop,
9 AM. City Hall.
- 6 Jackpot Bingo, Cape
Henlopen Senior Ctr. 227-
2055 Fee. Doors open at
4:30 PM
- 7-10 CAMP Rehoboth's
Women's Fest 2011. 11th
Anniversary of the top
women's event in the mid-
Atlantic. Entertainment,
Tea Dance, book signings,
workshops, golf outing,
poker, wine tasting, art con-
test, speed dating and more!
www.camprehoboth.com
- 8 Refresher Defensive
Driving Class sponsored by
Cape Henlopen Senior Ctr,

- Registration required. 227-
2055
- 8 Planning Commission
Meeting, 6:30 PM City Hall
- 15 Commissioners Meeting,
7 PM City Hall.
- 16 RBHA General Membership
Meeting, 9 AM. All Saints
Episcopal Church, Olive
Ave. Guest Speaker:
Nancy Alexander,
Rehoboth Beach Historical
Society. RBHA Board
Meeting to follow General
Membership Meeting.
All are welcome**
- 18 City trash pickup resumes
twice-a-week collection.
- 22 Good Friday. City Offices
are closed.
- 25—29 Bulk refuse pickup—
south sections of city.
227-6181
- 25 Board of Adjustment,
7 PM City Hall
- 29—May 30 Rehoboth Art
League's Members' Show-
case: Fiber Art; "Following
the Light" — Victor Leton-
off; Shapes of Possibilities"
— Lee Wayne Mills.
www.rehobothartleague.org

May

- 2—6 Bulk refuse pickup—
north sections of city plus
Schoolvue. 227-6181
- 4 Jackpot Bingo, Cape
Henlopen Senior Ctr. 227-
2055 Fee. Doors open at
4:30 PM
- 6 Weekly Friday recycle
pickups Fridays resume.
227-6181
- 9 Commissioners Workshop,
9 AM. City Hall
- 13 Last day of city collection
of loose leaves at curb line.
After this date leaves must
be bagged.
- 13 Planning Commission
Meeting, 6:30 PM City Hall
- 19 Annual Walk-A-Thon &
Pancake & Sausage Break-
fast. 2-mile walk on the
Boardwalk starts at 9 AM

- followed by breakfast. Cape
Hen. Senior Ctr. 227-2055.
- 20-22 28th Annual Spring
Sidewalk Sale 10AM —
8PM daily. A weekend for
Deals & Fabulous Finds!
RB-DB Chamber of Com-
merce. 227-6446
- 20 Commissioners Meeting,
7 PM City Hall
- 21 RBHA Board Meeting 9 AM
All Saints' Episcopal
Church. Olive Avenue.
All are welcome**
- 21 *Kickoff To Summer
Garden Party*, 4—6PM. On
the Museum grounds spon-
sored by the Rehoboth
Beach Historical Society,
rbhistoricalsociety-
@verizon.net
- 23 Board of Adjustment,
7 PM City Hall
- 30 Memorial Day**

Check out
CAMP Rehoboth
happenings at
www.camprehoboth.com

All activity dates & times are
subject to change and to author
error. Check with venue.

City Hall Office Hours

Mon-Fri 8:30 — 4:40

June-July-August

Administrative Offices
Open every Saturday
8:30 AM — Noon

September — May

Administrative Offices
Open first Saturday
of each month
8:30 AM—Noon

Phone (302) 227-6181
www.cityofrehoboth.com

RBHA Spring General Membership Meeting

**Saturday
April 16, 2011
9:00 AM**

All Saints' Episcopal Church,
Olive Ave.

Guest Speaker:

Nancy Alexander
Executive Director
**Rehoboth Beach
Historical Society**

*Celebrating its
100th Anniversary!*



www.
**rehobothbeachvia
.org**



Hours

Monday	10am-8pm
Tuesday	10am-8pm
Wednesday	10am-8pm
Thursday	10am-5pm
Friday	10am-5pm
Saturday	10am-3pm
Sunday	Noon-4pm

www.rehobothlibrary.org

227-8044

City News Briefs

BUDGET

The Commissioners held two budget meetings to evaluate and comment on a budget initially developed by the city manager. A budget of approx. \$14.7 million was adopted at the Commissioners' meeting of February 18, 2011. Some highlights are:

- Increase in property taxes from \$1.55 to \$1.78 per hundred dollars assessed value, which is approximately a 15% tax increase. 5% of the increase is to be earmarked for improvements to facilities for the police/city hall.
- Increase 628 parking meters from \$1.25/hour to \$1.50/hour thereby making all 2,200 (approx.) metered parking spaces the same hourly fee.
- Increase in wastewater surcharge by 15% to pay for upcoming implementation of new wastewater discharge alternative.
- Continued recycling to residential clients free of separate fees.
- Increase in monies allotted for tree pruning and landscaping by approximately 150%.
- Capital Improvement Program in the amount of \$1,760,671.00.

RECYCLING

Recycling for residents continues free of charge. It's easy! You get a free container and pickup is on the first, third and fifth Fridays through April 2010. Collection is every Friday from May — September. Call City Hall to sign up and have a container delivered. It's that easy!

WASTEWATER DISCHARGE ALTERNATIVE PROGRESSING

With the Commissioners having selected ocean outfall as the alternative discharge site for our highly treated wastewater, they now are in the phase of seeking funding and permits to be followed by developing construction

plans and finally upgrading the current wastewater treatment facility and constructing the outfall. Putting the new ocean outfall online on or before December 31, 2014 will meet the deadline prescribed in a consent order to remove the discharge from the Lewes-Rehoboth Canal. The cost of the project, estimated to be in the ballpark of \$30 million is to be borne by the system users, Rehoboth proper customers as well as those of Dewey Beach, Henlopen Acres and North Shores.

You may have noticed a surcharge on your sewer bills. The surcharge monies are set aside by the City specifically to pay for this expensive and necessary project.

BULK PICKUP

The City will hold its annual cleanup from April 25 — May 6. Cleanup is for discarded items other than household trash. **CONSTRUCTION MATERIALS, TIRES AND OIL-BASED PAINT WILL NOT BE PICKED UP.**

City crews will begin cleanup on the south side of Rehoboth Avenue starting with the Lake Drive area during the week of April 25 — 29. The north side of Rehoboth Avenue including the Schoolvue area, will be picked up starting with Henlopen Avenue during the week of May 2 — 6. The City Manager stresses that those residents discarding items during the designated weeks should do so in a safe manner. City employees will not be authorized to go back into such areas once pickup is completed. All residents are urged to have their discarded items at the curb during the designated week.

YARD WASTE

Effective January 1, 2011, yard waste can no longer be comingled and picked up with regular trash and taken to the landfill. This is a State regulation designed to extend landfill life, reduce greenhouse gas emissions and increase local production of mulch and compost.

Yard waste is defined as plant material

resulting from lawn maintenance and other horticultural gardening and landscaping activities. This includes grass clippings, leaves, pruning, brush, shrubs, garden material, branches, Christmas trees and tree limbs up to 4 inches in diameter.

The City is finalizing a new program for collection of yard waste. Once the yard waste collection program is finalized the City will mail a letter detailing the changes.

In the meantime ***please separate yard waste from household trash to facilitate separate pickups by the City. Note the pickups of refuse and yard waste likely will occur on different days.***

STORMSCEPTERS

The City of Rehoboth Beach desires to continue to seek ways to improve water conditions in its lakes and soon will be installing Stormceptors on two storm drain pipes which discharge into the northern tip of Silver Lake. Stormceptors assist in filtering water flowing from the storm drains before discharging into the lakes.

Stormceptors are generally concrete boxes with inlet and outlet pipes. Incoming storm drain runoff can contain such solid contaminants as grass, dirt, leaves and sand and such liquid contaminants as gasoline and oils leaked from vehicles. A system of storm drain piping collects stormwater runoff which flows into the Stormceptor where the heavy contaminants fall to the bottom of the Stormceptor and the lighter-than-water contaminants such as oils float within the Stormceptor. With the contaminants separated and contained within the Stormceptor, water then discharged into the lake is much cleaner. Periodic maintenance of the Stormceptors removes the contaminants for proper disposal.

The placement of the two Stormceptors, one near Stockley Street at the

Continued next page

intersection of Country Club Drive and one in Laurel Street near the right of way, facilitates the filtering of runoff collected by 29 storm drains. The areas which feed into the targeted storm drains, including a section of Country Club Estates and a portion of Scarborough Avenue, totals just over 41 acres comprised of 65% impervious surface.

Work on installing the two Stormceptors is expected to begin in March. This project is made possible through funding assistance provided by Senator George Bunting and Representative Pete Schwartzkopf.

BEACH RESTORATION

While funding by the Federal Government for the anticipated 3-year cycle of beach nourishments has been cut out of the Federal Budget, emergency funding was appropriated specifically to repair the beach and dune losses from what is being called the Nor'Ida nor'easter of November 2009. Monies

were allocated for repair projects in Fenwick Island, South Bethany, Bethany Beach, Dewey Beach and Rehoboth Beach. Work is underway and sands are flowing from "borrow areas" in the ocean onto the beaches in the southern part of the state. After that work is completed the dredges were expected to move northward with sands flowing onto our own beach as early as April this year. Delays, however, are occurring and DNREC is unsure that work would be completed prior to Memorial Day in Rehoboth. As DNREC is committed to not having any work disrupt the vacation season from Memorial Day through Labor Day, it is possible work will take a hiatus during the summer months and resume in September.

The project objectives are to restore the beach and dune profiles to what existed prior to the November 2009 storm (not to the same profile presented at the completion of the original nourishment of 2005). DNREC is partnering with the Army Corps of Engineers to complete this task.

MORE MOBI-MATS MEAN MORE MOBILITY

Special blue colored mats that provide easier mobility over dune crossings to access the beach areas were installed last year at the handicap dune crossing at Maryland Avenue. The handicap dune crossing at Laurel Street is expected to be similarly outfitted this summer. Funding is by DNREC and the City.

SMOKE-FREE INITIATIVES

City Commissioners have been looking at smoke-free initiatives of towns both locally and nationwide. Some jurisdictions restrict smoking in children's playgrounds, in public parks, on beaches and boardwalks. Some places impose all out bans while others provide designated smoking and no-smoking areas. Nothing has been decided; this is an ongoing topic of interest. For more information, go to the City's web site and check out Ongoing Business, Smoke-Free Initiatives.

Board of Adjustment

This is the second in a series of articles to help members understand how our City works. The first article in the Summer 2009 Newsletter was an introduction to the Boards, Commissions, and Committees in the City of Rehoboth Beach government. This second article covers the Board of Adjustment.

The Board of Adjustment's powers are defined in the Zoning Code of the City of Rehoboth. The Board of Adjustment's primary workload involves acting on applications for variances from the zoning code. Two frequent activities of Board of Adjustment are:

- (1) appeals alleging that the Building Inspector has erred in applying of the city's zoning rules or in interpreting of the city's Zoning Code, and
- (2) requests for variances from the requirements of the Zoning Code.

In requests for a variance, the Board of Adjustment evaluates whether an applicant has proved that not granting the

variance is a hardship, and whether the request for a variance, if granted, would change the character of the neighborhood.

Before acting on any request, the Board provides notice to the owner of any property that is located within 200 feet of the property for which action is being considered. Notice of a hearing is also published in local newspapers and posted on the city's bulletin board.

There are detailed rules of procedures and fees that apply to the actions of the Board. These should be carefully evaluated by any person requesting action from or wishing to comment on matters that come before the Board.

Actions before the Board of Adjustment are quasi-judicial in nature. An attorney often accompanies an applicant to the hearing.

The Board meets monthly. It has five members who serve three year terms.

The current members are Thomas Evans, Clifton Hilderly, Myna Kelley, Doug Popham and Frank Cooper.

City Meeting News

Summary highlights from meetings

of the Board of Commissioners, Board of Adjustment, Planning Commission and Committees

Notes recorded are by RBHA volunteers who attended the meetings.

BOARD OF COMMISSIONERS HIGHLIGHTS

Commissioners Workshop – Monday, August 9, 2010

The Commissioners Workshop is a discussion only meeting with no voting. It is held prior to the regularly scheduled Commission Meeting, at which the Commissioners review and vote on matters before the Commissioners. The August 9, 2010 Workshop included a discussion of a proposal to develop a five-year capital improvement plan. Commissioner Mills, City Manager Ferrese and Mr. Burt Dukes presented a draft plan. The proposed plan is designed as a planning tool and does not require that the Commission commit to or endorse the specific projects, needs or source of funds identified in the plan. Its primary purpose is to project future funding needs and sources of funds to implement capital spending. The proposed plan calls for annual updates. If adopted, the plan would start with input from the various city departments, which would provide five year projections of budgetary requirements for capital improvements. As envisioned by the proposed plan, the City Manager and the City Mechanic would prioritize the projects from the departments and submit the information to the Commission for consideration in the budget process. After discussion, Commissioner Mills, City Manger Ferrese and Mr. Duke agreed to fine tune the draft document for discussion at the August 20, 2010 Regular Meeting of the Commissioners.

Commission Meeting – September 17, 2010

The Rehoboth Beach Commission is the legislative body for the city and is comprised of the Mayor and the City Commissioners. The September 17, 2010 meeting included discussion of a proposed five year capital improvement plan, during which there was a lengthy exchange among the Mayor and the Commissioners about potential sources of additional revenue for the City. The need for additional revenue was attributed by some to a historic dependency on real estate transfer taxes to fund a significant portion of the City's budgetary requirements. Changes in market valuations and a decrease in property sales have adversely affected revenues from this source. The members discussed other sources of revenue. Among the sources considered were increases in the hotel accommodations tax, increases on gross receipt taxes on property rentals, increases in residential property taxes, and increases in fees for trash and business licenses. Countervailing considerations were the need to avoid a disadvantage to hotels, businesses and in-city rental properties against competitors outside the City, which are not assessed such charges. There is also a concern that residents who are senior citizens and living on fixed incomes are not unduly burdened. Mayor Cooper noted that a suggestion that such citizens be grandfathered against property tax increases was illegal under Delaware law, but that relief predicated on low income would be an option. The minutes reflect that, if a decision is made to adopt

measures to increase City revenues, the consensus approach among the members is a 25 percent increase in the property tax. There was no vote either to adopt the five year plan or to approve revenue measures.

Commission Meeting – October 15, 2010

The Building and Licensing Department reported that 71 permits were issued in September. In a Permit of Compliance Hearing the Commission approved the request of Lily Thai Cuisine to operate a new restaurant serving food and alcohol at 10 North First Street. The Commissioners and the Mayor with written and in person comments from a large number of residents and business owners engaged in a lengthy and lively discussion on whether the Patio Ordinance should be amended to decriminalize offenses making them a civil instead of a criminal matter. This resulted from enforcement actions taken in September which resulted in the arrest of several business owners. The only motion that came to a vote was a motion to have the City Solicitor draft an amendment to the Zoning Code to decriminalize the Patio Ordinance. This motion did not pass. The consensus of the majority of the Commissioners was that at a minimum the Patio Ordinance and the Noise Ordinance must be considered and reviewed together for a proper resolution and thus more time was needed to study the affects of the changes before changes were made.

Commission Meeting – November 19, 2010

The Commissioners and Mayor continued their discussion of possible changes to the Patio and Noise Ordinances. No votes were taken. The consensus of the majority of the Commission was that the matter needs to be resolved before the season and that a comprehensive solution would include reviewing the interactions of the Patio Ordinance, the Noise Ordinance, and Certificates of Compliance before changes are undertaken. In other business the Commission discussed the City Emergency Operations Plan and approved the renewal of a lease for Lot 22, Rehoboth Avenue.

PLANNING COMMISSION HIGHLIGHTS

Planning Commission Meeting – August 13, 2010

The Planning Commission is one of the city's boards and has responsibility to review and approve proposals for changes in the use of property within the city. One matter considered at this meeting was a proposal to partition a property located at 73 Park Avenue, Lots 49 and 51, into two parcels. The discussion provided an overview of the considerations relevant to a change in existing use, the extent and limits of the Planning Commission's powers, and the conditions that can be attached to approval of a

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change in use. Due to differences in pre-existing surveys, the board members discussed whether the parcel, if partitioned, would comply with the requirement for a minimum 5000 square foot parcel size. The issue arose due to uncertainty over the proper boundary between the parcel at issue and an adjoining parcel. Information provided at the hearing indicated that the adjoining landowner had an unrecorded license to use part of the parcel at issue. The Commission members expressed the view that the survey and not the license was the determinative factor in determining the satisfaction of the minimal parcel requirement, noted that the adjoining landowner do not object to the survey submitted with the application, and concluded that the partitioned parcels would be compliant with the minimum parcel size. After discussion the Commissioners approved the partition conditioned on the filing of the license agreement with the county. The Commissioners noted that the City has no power to enforce the license agreement pertaining to the property, which is a contractual arrangement among the property owners who agreed to the license.

BOARD OF ADJUSTMENT HIGHLIGHTS

Board of Adjustment Meeting – June

The first request for a variance was for a house on New Castle Street for side yard setback limitations. The owners wanted to replace the old HVAC unit with an upgraded unit in the same location. Its larger size would cause it to infringe on the side yard set back. The request was granted citing practical difficulty and hardship as there is no other feasible place to put the unit.

The second request was submitted by the owners of the large property at Canal and 6th Street currently going through a subdivision process. The request was to allow new lots to be created without all the side lot lines coinciding (according to code) but all the back lot lines do coincide. The request was granted for this subdivision as the lot lines were drawn to preserve trees and it is a very odd shaped property.

Board of Adjustment Meeting - July

This was a variance request to allow construction of an attached carport partly within the side yard setback and exceeding the 50% maximum allowed for lot coverage. The applicant, the new owner of 161 Columbia Avenue, reasoned the carport was necessary due to their health needs. A BOA member cited a ruling from the Superior Court that personal physical hardship does not qualify for a variance for hardship or practical difficulty. The request was unanimously denied.

Board of Adjustment Meeting – August

This was a request by Nicola Pizza for a variance from the size limitation of 5,000 square feet for a restaurant serving alcohol. Nicola Pizza desired to connect the basements of their two restaurants (the original one on First Street and the new one on Rehoboth Avenue) but doing so merges the buildings and the size limitations would be exceeded. Having two separate basements proves a hardship. They want to connect the two restaurants un-

derground for staff and vendor safety transferring products underground rather than around the outside using two entrances. It will be ADA compliant inside, also with an elevator for staff, and will increase staff efficiency. This will be no change from what is above ground. The request was unanimously granted.

Board of Adjustment Meeting – September

The first request for a variance was to allow for a second restaurant, The Café, to serve alcohol in First Street Station which along with Hooters Restaurant would exceed the limit of 5000 sq feet for restaurants serving alcohol in one building. (The city and courts have categorized the First Street Station complex as one building when applying zoning codes.) The applicants wish to serve breakfast, lunch and dinner and find that without serving alcohol, people tend to not want to eat there. They will also have their real estate brokerage in the restaurant. The building inspector said if this was granted then Hooter's would become legally nonconforming. The request was granted by a vote of 2 for, 1 against and 1 abstention. The majority voting cited the need to sell alcohol to be competitive as the hardship needed to support their votes.

The second request for a variance was by the owners of 117 Norfolk Street for a HVAC replacement in the same location. The newer unit is larger and encroaches into the setbacks. To move it elsewhere would cost more and not be as efficient as well as be unsightly. This variance unanimously passed citing practical difficulty and hardship as presented by the applicant.

Board of Adjustment Meeting - October

This request for a variance was for 1105 South Boardwalk for a new house under construction (second to last house at south end of boardwalk) to allow the height from the bottom slab to the first floor to exceed 8 feet and the first floor joists to exceed the 3 foot maximum height limitation on the front of the house. As the building plans changed during construction to the conditions cited, the basement entered into the floor area ratio (FAR) calculations and the house then exceeded the FAR limitations. To bring the house back into compliance with FAR, the remedy as presented by the builder and owner could be very expensive (digging out the basement and redoing) and thus a financial hardship. The variance was denied by a vote of 4-1.

Board of Adjustment Meeting - November

There was no meeting due to lack of agenda items.

Board of Adjustment Meeting - December

This request for a variance was by Chuck Weiner, owner of the amusement business Dolle's Arcade located on the Boardwalk abutting Dolle's popcorn store. Mr. Weiner's property includes his arcade as well as the space formerly occupied by the Beach Luncheon adjoining his business. Mr. Weiner wants to expand into the Beach Luncheon space thereby increasing the arcade by 1496 square feet. However, the Beach Luncheon space is zoned C-1 and an arcade is not an allowed use in this zone. The Board of Adjustment did not feel that sufficient hardship was shown other than economic to allow a non-conforming use expanded into a C-1 zone and the request was denied 3-0.

REHOBOTH BEACH
HOMEOWNERS' ASSOCIATION
P.O. BOX 41
REHOBOTH BEACH, DE 19971



Mark Your Calendar!



RBHA General Membership Meeting
Saturday, April 16 — 9:00 AM
All Saints' Episcopal Church

Guest Speaker:

Nancy Alexander, Executive Director
Rehoboth Beach Historical Society

Rehoboth Beach Homeowners' Association Newsletter

March 2011

RBHA Calendar 2011

Saturday, January 15
9 AM Board Meeting

No February Meeting

Saturday, March 19
9 AM Board Meeting
CAMP Rehoboth

Saturday, April 16
9 AM General Membership Meeting
Board Meeting to follow
All Saints' Church

Saturday, May 21
9 AM Board Meeting
All Saints' Church

Saturday, June 18
8 AM Board Meeting
All Saints' Church

Friday, July 22 (Tentative Date)
Meet the Candidates Night
CAMP Rehoboth

Saturday, August 19
8 AM Board Meeting
All Saints' Church

Saturday, September 17
8 AM Board Meeting
All Saints' Church
9 AM *Coastal Cleanup*

Saturday, October 15
9 AM Board Meeting
10 AM Annual Membership Meeting
CAMP Rehoboth

Saturday, November 19
9 AM Board Meeting
CAMP Rehoboth

No meetings in December.

All meetings are open to the public. CAMP Rehoboth: 37 Baltimore. All Saints': Ocean Block Olive Avenue.