



## **PRESIDENT'S MESSAGE**

**May 2017**

First, I want to welcome all our new members and thank all those who renewed their membership for 2017. Our membership has grown to 1225 households, the highest number in at least 20 years. The BBLA Board of Directors is committed to earning your continued support.

In addition to addressing important issues as they arise, the BBLA Board of Directors in recent months has instituted a number of improvements and new initiatives that will enhance BBLA's efficiency and effectiveness. For example, we have improved our electronic communications capability through the website, e-mail systems and member opinion surveys. We also developed or updated a number of policies and procedures, including financial oversight and charitable donations policies. In addition, we have expanded our contacts and relationships in the community by joining the Fenwick-Bethany Beach Chamber of Commerce. Draft amendments updating our governing Bylaws are under review, with the intent to present them to the membership for consideration at the Annual Meeting on June 17. (See notice below for meeting details.)

The Board has also focused on planning for the future, including transitions in Officer and Board positions. My term is up in little over a year, as are the terms of several other officers and Board members. Our goal is to have well-planned smooth transitions. For this year, the Nominating Committee is preparing for the presentation of candidates at the Annual Meeting. It is gratifying that a number of members have expressed an interest in serving on the Board.

Planning for the future has also included identification of issues and developments that affect the interests of our members and establishing priorities. The most important immediate concern, of course, is the need for funding for beach replenishment. (See article below.) The Board welcomes any ideas and suggestions our members have on how we can improve as an organization.

I am pleased to report that BBLA is in a strong position for the future. In addition to the increase in membership, we have a knowledgeable Board of Directors, comprised of conscientious volunteers with a broad range of experience in different organizations. The Association also is in sound financial condition, with a healthy treasury and updated and improved controls and oversight procedures.

For all those reasons, I'm confident that this Board and future Boards will continue to serve your interests and make positive contributions for the preservation and improvement of Bethany Beach, the community for which we all share a common bond of affection.

Have a safe and enjoyable Spring and Summer.

Tracy Mulligan  
BBLA President

## **ANNUAL MEETING**

BBLA's annual membership meeting will be held this year on Saturday, June 17, 2017, at the South Coastal Library beginning at 10:00 AM. All BBLA members are invited to attend. The meeting will also be open to the public. A short business meeting for reports to the members, consideration of possible amendments to BBLA's Bylaws, and election of officers and Board members will be held after we hear from our guest speaker. We are still in the process of scheduling a speaker to address the status of beach replenishment and other matters. Everyone who has paid their membership dues for 2017 is eligible to vote in the election, and is also eligible to serve as an officer or Board member. Please plan on attending. We look forward to seeing you on June 17.

## **BEACH REPLENISHMENT CAMPAIGN**

As we're probably all aware, our beach and dunes have been damaged and diminished by a number of storms. The US Army Corps of Engineers (USACE) designed the beach and dune configuration for a 50-year life, with necessary replenishment (or renourishment) every three years. Bethany Beach is already a year behind schedule. Consequently, there is a clear need for the beach replenishment and dune repair that was scheduled by the USACE for 2017, for the purpose of "flood and coastal storm damage reduction."

As previously reported, the project is dependent upon the Federal budget and funding process. Among the necessary steps in that process USACE allocation of sufficient funds in its work plan is essential. The Delaware Congressional delegation, in a letter to the Assistant Secretary of the Army for Civil Works in October, strongly recommended allocation of sufficient funds for the Delaware beach and coastal projects, including \$6.65 million for Bethany Beach. In a joint letter dated November 16, 2016, Bethany Beach and South Bethany reinforced the Congressional request, emphasizing the vital need for replenishment in 2017 for the protection of citizens and infrastructure, and preservation of the local and state economies. However, the response of the Assistant Secretary in December was noncommittal. So funding for the overdue replenishment in 2017 was uncertain at that time.

In view of the uncertainty and the importance of the issue, the Town and BBLA Board determined that proactive measures might be helpful to further support and supplement the efforts of the Delaware Congressional delegation. Accordingly, the Town reached out to subscribers on its official notice list who are from other states to encourage similar contact efforts. The Town notice provided, in part: "The more people in Washington who are aware of this issue, the better the chance we can get the needed funding to rebuild the beach and dune that protect the Town we all love and enjoy so much."

In support of that initiative, the BBLA Board notified members on our e-mail list to encourage them to contact their Congressional representatives, and others involved in the process, to stress the vital need for beach replenishment and dune repair, and urge them to support the efforts of the Delaware delegation. For members who are not on our e-mail list, following are links that provide contact information for U.S. Senators and Representatives.

[http://www.senate.gov/reference/reference\\_index\\_subjects/Directories\\_vrd.htm](http://www.senate.gov/reference/reference_index_subjects/Directories_vrd.htm)

<http://www.house.gov/representatives/find/>

Hopefully, all those efforts will be successful. We will continue to closely monitor this issue.

## **PROPOSED STATE LEGISLATION WOULD IMPOSE LODGING TAX ON VACATION RENTAL PROPERTIES**

On or about April 20, legislation was introduced in the Delaware legislature that would apply the State's 8% Public Accommodation and Lodging tax to short-term vacation rental units. The new legislation, House Bill 130, would apply the tax to homes, condos, apartments and other units rented for 120 days or less. (The tax is already applied to hotel and motel rental units.)

At a Special Meeting on April 28, 2017, the Council voted unanimously to approve a motion by Mayor Jack Gordon to oppose the legislation. Among the reasons for opposition identified during the Council discussion and public comment period were: The legislation would have a disproportionate and unfair impact on Sussex County beach communities; the substantial tax increase would have an adverse effect on Bethany Beach property rentals, as vacation renters looked elsewhere and property owners opted out because of reduced income; and any downturn in vacation rentals would have a negative effect on Town revenue, business revenue and the local economy. One side comment likened the tax to a case of "killing the goose that lays the golden eggs." In addition, the proposed allocation of 1% of the increased State revenue to DNREC for beach preservation would not significantly help in paying for our needed beach replenishment. The Town intends to consult with neighboring beach communities to determine if a combined opposition effort is possible.

It is expected that the BBLA Board will discuss this matter in May and consider possible courses of action. Obviously, it's an important issue for Bethany Beach and our members, many of whom would be directly affected. Records indicate that about 30% of our members rent their properties. Individual property owners residing in Delaware may want to consider contacting their State Representatives and Senators to express their opinions on the proposed rental tax increase.

## **NEW STREETSCAPE PROJECT FOR SOUTH ATLANTIC AVENUE**

At a Special Meeting on April 21, 2017, the Town Council scheduled a public presentation of a streetscape design concept for South Atlantic Avenue. The project concept would replace deteriorating pavement, enhance drainage, improve pedestrian and bicycle safety and comply with the Americans With Disabilities Act. It should be noted that in addition to the required meeting notice, the Town notified the individual property owners on South Atlantic who would be most immediately affected by the project about the meeting, provided them with the main project details and invited them to attend. Those special communications efforts for the most affected property owners are appreciated. In the event of Council approval of the project, it could begin as early as this Fall.

## **POSSIBLE RESTRICTIONS ON USE OF TENTS ON THE BEACH SUBJECT OF SUMMER STUDY**

At Council direction, the Town's Charter and Ordinance Review Committee (CORC) reviewed restrictions recently imposed by Rehoboth Beach on the use of tents on the beach and other matters. Based on that review and research regarding regulations of other beach communities, CORC drafted a possible ordinance to address issues in Bethany Beach concerning the use of tents, canopies, umbrellas and other beach related matters.

The Council discussed the draft ordinance at a Workshop/Special Meeting on March 14, 2017. Based on that discussion and comments from a number of residents, it was concluded that the use of tents and other fixtures on the beach and any related issues such as the physical condition of the beach, should be monitored this summer. With information from that study, CORC and the Council will be able to further consider the draft ordinance.

## **RESIDENTIAL OUTDOOR LIGHTING REGULATED TO PROTECT NEIGHBORS**

At its meeting on February 17, 2017, the Town Council unanimously approved an ordinance to regulate the focus and intensity of residential outdoor lighting to address issues with “light trespass” on neighboring properties. The new ordinance requires outdoor residential lights to be shielded and focused within the owner’s property lines. In addition the ordinance establishes a technical light intensity standard (.2 foot candles), which Code Enforcement personnel can measure with a light meter, if the need arises. Violations are subject to \$25 to \$100 fines per violation. Council members expressed the hope that neighbors will be able to resolve issues directly without the involvement of Code Enforcement.

## **UPDATES**

### **Dinker Cottage**

Relocation of the locally historic Dinker cottage, known formally as the Dinker-Irwin Cottage, to the designated Town property on Maryland Avenue has been delayed by ground conditions, necessary preliminary work, and other issues. It is anticipated that the Cottage will be moved in the near future. Thereafter, renovation work can begin on conversion of the Cottage to operate as the Town Museum.

In another development, on April 19, 2017, the Delaware State Review Board for Historic Preservation considered an application from the Town’s Cultural and Historical Affairs Committee (CHAC) for nomination of the Cottage for registration on the National Register of Historic Places. Thanks to CHAC’s efforts, the Board voted unanimously to forward the nomination and recommend approval.

### **Progress on Central Park**

Development of the Town Park, now officially referred to as “Central Park,” is proceeding. On April 21, 2017, the Town Council reviewed and approved a contract with the Oasis Design Group (ODG) that will provide for a detailed plan based on the master plan approved by Council in October 2016. The master plan included the design criteria determined by the majority of property owners who responded to the August 2016 survey. The detailed plan will include integration of all park elements, grading, lighting and parking and street crossing adjustments into the beginning phase of construction documentation.

### **Trolley Routes Readjusted**

On February 13, 2017, the Council discussed the Town Manager’s report on experience over the past two years using two shorter North-South routes for the trolleys to follow through Town. Information reported demonstrated, among other things, that there was no benefit in travel or waiting time for riders using the 2-route system; and continuing it would necessitate purchasing an additional trolley at a cost of \$140-160,000. Based on the information discussed, the Council agreed with the Town Manager’s suggestion that the Town return to the previous one-route practice.

In another development, GPS location transmitters have been installed on the trolleys and, hopefully, will be operational this year. Riders will be able to access the transmissions from smart phones, tablets and computers, determine the location of a trolley and estimate a time of arrival of a trolley at their location.

## **Speed Bumps Revisited**

As previously reported, based upon complaints by homeowners on Gibson Avenue and Central Blvd. about the high volume of traffic using those streets as a “short cut” or detour to avoid the traffic light at Route 1 and Garfield Parkway, the Town installed a number of speed bumps on the streets on a trial basis last summer. They were subsequently removed.

On March 14, 2017, at a well-attended Workshop/Special Meeting, the Council discussed the matter, to include the status of speed bumps on other streets. The Town Manager reported that although the speed bumps on Gibson and Central had resulted in a significant reduction in traffic during a measurement period, other problems were created and reaction from those affected in the immediate area was mixed.

Following the discussion, including comments from a number of homeowners, the Council agreed with the Town Manager’s plan to consult with a traffic safety engineer to discuss specific problems and perceptions of speed and excess traffic, not only on Gibson and Central, but also in the 200 block of Oakwood, on Collins and the 300 block of Wellington, where citizens have recently petitioned the Town to install speed bumps. The intent of seeking such expert advice before installing more speed bumps is, hopefully, to develop possible alternative solutions and suggestions to address the problems identified.

## **Reminder for Construction and Renovation Planning**

As reported in the November 2016 Newsletter, the Town Council adopted a new ordinance on October 21, 2016, that will affect architectural plans for new residential construction and major renovation projects in certain zoning districts submitted after October 21, 2017. The ordinance, Section 425-26 of Chapter 425 of the Town Code, is entitled: Regulation of Residential Bulk Density in the R-1 and R-1B Zoning Districts. It is posted on the Town website at: <http://ecode360.com/documents/BE1351/source/LF945536.pdf> Interested individuals may also contact the Town Building Inspector for further information.

## **Progress in Boardwalk Lighting Project**

On April 21, 2017, the Town Manager reported that work is progressing on installation of new conduits under the boardwalk to replace the old cabling that supplied electrical power to the existing lights. Hopefully, upon completion of that work, Delaware Power and Light will install new light fixtures on the existing poles on the boardwalk.

## **SUMMER RULES: ANNUAL REMINDER**

To avoid possible fines and the embarrassment of public criticism, property owners should be aware of and advise their renters and visitors of the following rules, some of which are in effect from May 15 to September 30 and others year round, as noted.

1. Official notices have been posted advising everyone to KEEP OFF THE DUNES, a prohibition imposed to preserve the protective dunes, as well as for safety reasons.
2. Skateboards, roller skates and inline skates are prohibited at all times on the boardwalk, bandstand and on all sidewalks on Garfield Parkway from Route 1 to the boardwalk.

3. Always clean up after your pet. Dogs must be leashed at all times. With the exception of law enforcement and service dogs under control, dogs are prohibited on the beach and boardwalk from May 15 to September 30.

4. Bicycles are prohibited on the boardwalk and all approaches to the boardwalk, except between the hours of 6 – 9 a.m. Bikes are never allowed on sidewalks.

5. Smoking is prohibited on the beach except in designated areas. Smoking is prohibited year-round on the bandstand plaza, the boardwalk, all public playgrounds and parks, the Nature Center, the Loop Canal and Town Hall.

### **Trash Collection Schedule For May 1 – September 30**

The Town has published the following schedule for trash collection for the season (and beyond for some material):

Regular trash (twice a week). For Zone 1, every Monday and Friday; for Zone 2, every Tuesday and Saturday. See the zone map on the Town website for exact location information <http://www.townofbethanybeach.com/DocumentCenter/View/97>

Residential dumpsters at townhomes will be picked up every Monday, Wednesday and Friday; and commercial dumpsters every day.

Recycle items (once a week). For Zone 1, every Wednesday; for Zone 2, every Thursday. As a new, expanded service, beginning on October 1 and through April 30, recycle items will be picked up every Wednesday for the entire Town, rather than every other Wednesday. For acceptable and unacceptable items for recycle pick up see <http://www.townofbethanybeach.com/DocumentCenter/View/2486>

Yard waste will be picked up every Tuesday from May 1 through December 31 with carryover to Wednesday morning as needed. Waste must be in heavy-duty paper yard waste bags or labeled containers. Limbs must be tied into bundles no larger than 5-feet in length and 2-feet in diameter. A minimum \$40 fine will be assessed for collections not properly prepared.

Free bulk collections of acceptable items are picked up the last two weeks in April and October, on days the Public Works Department schedule permits. Special collections of bulk items can also be arranged through PWD. Visit the town website for a list of acceptable bulk items.

See the Town website for other details. One other reminder on this subject. Public Works Department personnel would appreciate it if people put garbage and regular trash in trash bags and did not just dump the waste into their trash cans. It would also be appreciated if people did not put their regular trash in the recycle bins. Please be considerate of our hardworking PWD employees who handle the trash pick-up as just one of their many duties in our community.

### **FARMERS MARKET CELEBRATES 10<sup>TH</sup> ANNIVERSARY**

On Sunday, June 11, the popular Bethany Beach Farmers Market will reopen for its 10<sup>th</sup> season, and will continue operations every Sunday until September 10, from 8:00 AM until noon.

As in previous years, the Market will operate on the PNC Bank parking lot at the corner of Garfield Parkway and Pennsylvania Avenue. Some free parking will be available in an adjacent lot.

For more information, or if you want to volunteer to help, contact the organization by e-mail at: [www.bethanybeachfarmersmarket.com](http://www.bethanybeachfarmersmarket.com).

### **MEMORIAL DAY CEREMONY**

On Monday, May 29, Veterans of Foreign Wars Post 7234 will conduct a ceremony at the bandstand, beginning at 11:00 AM, to remember and honor all those who gave their lives while serving our nation in the armed forces. We live in freedom today because of their sacrifice.

For more information about VFW public events and activities see the Post website: [www.vfw7234.com](http://www.vfw7234.com).

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