

Thomas A. Fowler Jr.
Ocean View Marina LLC
303 Azalea Court Unit B
Bethany Beach, DE. 19930

February 23, 2022

Mayor John Reddington & Town Council Members
Town of Ocean View
Administration Department
201 Central Avenue
Second Floor
Ocean View, DE. 19970

Dear Mr. Mayor and Town Council Members,

I would like to introduce myself to those that may not know me. My name is Tom Fowler and I am the owner of Ocean View Marina LLC and Back Bay Tours LLC. I have owned and operated Ocean View Marina for 13 years and Back Bay Tours for 17 years. I have been a USCG licensed boat captain for over 30 years and have spent most of my life boating on the Inland Bays. Before owning these two businesses I worked for the Shoreline and Waterway Division of DNREC as part of the hydrographic survey team.

I will be outlining a proposal with a zoning request and ultimately seeking your support. Before I go into details on this proposal, I would like to start out with a brief history of the marina and nearby lands. In the early 1900's, at the confluence of the Assawoman Canal and White Creek was Pennewell's landing. Mr. Pennewell ran a boat building/boat repair business complete with a marine railroad, work sheds, and a ships store from this landing. His home was located on what is now the marina property. This landing was not only used for boat building but also for shipping and receiving goods. This landing is where the steamer Atlantic would dock with summer passengers bound for Bethany Beach. They would then take horse drawn wagons up Elliot Avenue and through Ocean View to reach their final destination. There was also a public landing at the end of Daisey Avenue, along with other boat works, canneries and a mill all located in Ocean View along White Creek.

As early as the 1920's, the marina property, along with the adjacent canal was used for various commercial operations. During this time period, the property now known as the marina was owned by Mr. Davidson. Mr. Davidson lived on the property and kept peeler crab shedding bins located on his canal dock adjacent to his property for the purpose of raising and selling soft shell crabs. In the mid 1950's a borrow pit was dug on the marina property and connected to the canal. It was a crude basin and served some pleasure boats but mostly it was occupied by commercial clammers and eelers. In fact one of those clammers, was Mr. Charlie Buck. In the 1960's Mr. Buck ran a retail seafood business on Daisey Avenue. The building he used is now occupied by Seaside Hobbies. The marina pretty much stayed in this crude shape up to the late 1970's when Mr. William Townsend approached the town with a plan to modernize the marina. The Town accepted his plan and what you now see today is what he built around 1980.

When I acquired the marina in 2009, the docks and the shop building were 29 years old and in fair condition. Over the years I have done my best to keep up with maintaining these structures but they are now 42 years old and approaching the end of their structural integrity. This has led me to contemplate what is next for this

property. I basically have three choices. One choice would be to subdivide the marina. The other two choices that I could pursue would take a lot of capital, and of which only one would give me the returns needed to invest in modernizing the marina and keeping it viable for future generations to enjoy.

As I mentioned, the first option would be to subdivide the marina into individual lots. This option would be the easiest of the three choices, however once this decision is finalized the marina ceases to exist, as it automatically becomes residential. This would end 100 years of maritime history for this property and end the last private but open to the public waterfront open space in the town. There would also be no access for turning around large vehicles on Elliot Avenue such as trash trucks, mail and delivery trucks, landscape trailers and so forth, all of which is currently done on the marina property on a daily basis. These subdivided properties would become private property just like all the other properties on the street and I'm fairly sure these new property owners, along with all the other property owners on Elliot Avenue would not like these trucks turning around in their driveways.

The second option would be to utilize the property as a watersport rental destination but this would require a large outlay of funds to purchase 10 or more jet skis, 10 or more pontoon boats and hire addition help to supervise the operation. The cost to benefit may not be enough to revitalize the marina and or maintain it. This option would potentially add more traffic to Elliot Avenue, as would option number 3.

The third option, of which I have had discussions with the Mayor, Town Manager and Town Planners and that I feel makes the most sense for the public benefit, the Town and for my desires to upgrade and maintain the marina, is to allow for a small seasonal outdoor restaurant to be built in the back portion of the marina property overlooking the harbor. By putting the restaurant in the back of the property it will be 400 feet from the nearest home, which is considerably more than other restaurants in town. Furthermore it will be surrounded by already established beautiful mature trees and shrubs. By placing it in the back, the building will feel like it grew there and that it has always been part of the marina. Under this proposal, the marina would stay waterfront open space and remain the quasi-town park that it has become for the local residents. The marina would also allow access thru and would construct at marina expense a connecting trail on marina property from Elliot Avenue to the Assawoman Canal Trail following roughly the existing clam shell alley.

Following the advice from the Town Planner and Town Solicitor, I am officially requesting that "marina with restaurant" be added to permitted use under Article XVIII Special Exceptions, section 140-124 Marinas or Yacht Club. I am also requesting that if all possible, this request be put on the agenda for the March 8th Town Council meeting.

I want to reassure all of you that over the years I have discussed this proposal with many residents of Ocean View and with those who do not live close to the marina, nearly all of them overwhelmingly support this proposal. Those residents in the immediate area of the marina, the support is mixed, but not vehemently opposed.

The main concern for the residents on Elliot Avenue is increased traffic, not the restaurant itself. This is my concern too, however, I believe there are ways to mitigate some of the traffic concerns.

One being the proposed trail access thru the marina property to promote walking and bicycling to the restaurant and the other would be providing transient boat slips, thus allowing for people to come by boat. Most residents on Elliot Avenue understand that in order to keep the marina/open space and have access to the trail they will need to compromise. They also understand that this will only be seasonal.

I have had some residents of the nearby area admit that they are not thrilled with this proposal but that if it were built, they would patronize the restaurant and that it would be nice to just walk down the street on a nice summer evening with their grandkids, get a bite to eat, walk the docks, check out the boats or take a stroll on the trail. Towards that end, I want to give the council two true examples that reflect this sentiment.

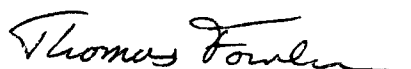
My mother was on Bethany Beach Town Council for 16 years from the 1980's thru the 90's and during her time on council she fought hard to balance the demand for growth but also keep the town's small town family character and charm in tack. Something I'm sure all of you are familiar to dealing with and are doing right now. One issue that she was totally against, was allowing alcohol sales in Bethany Beach, which up to the early 1980's had been a dry town. Many people in town, including my mother were concerned that by allowing restaurants to sell alcohol, it would ruin the town's character or worse, that the town would become another Dewey Beach. Well the town eventually did allow alcohol sales and yet it still retained its family friendly charm. The doomsday scenario some had predicted did not come true. Years later, my mother admitted to my family that it was nice to walk to a restaurant in town and order a glass of wine with her dinner.

Another example happened right here in Ocean View. A little over a decade ago there was a big debate over allowing the Royal Farms and CVS to be built. This was a huge issue and the town was probably 50% in favor and 50% against. Well, as we all know they eventually built both establishments and the town survived and thrived. I would be willing to bet that if you polled all the citizens of Ocean View today and told them that those two businesses were going away forever, the majority of those polled would be very upset with the thought of losing those conveniences that they have come to rely on.

I would also like to point out that according to the Town's own Comprehensive Management Plan and public surveys from that plan, the citizens want more connections to the Assawoman trail, open space, parks, walkability and restaurants. This plan covers all the bases and would preserve the unique history of the property and preserve the only private/public waterfront left in the Town.

I want to thank you all for taking the time to consider this request and I hope you can see the greater long term vision and opportunity for the town to help preserve the marina/waterfront property for generations to come. Should you need more information or perhaps a tour of the property to get a clearer perspective of the proposal, the Mayor and the Town Manager have my contact information. I look forward to your response.

Sincerely,

A handwritten signature in cursive script that reads "Thomas Fowler".

Thomas Fowler
Ocean View Marina LLC