

PLANNING COMMISSION OF REHOBOTH BEACH

STIPULATION

Recitals

1. Clear Space Theatre Company and Rehoboth Spotlight (hereafter collectively “Clear Space”) is a non-profit organization providing theatrical performances to the general public.
2. Clear Space has pursued grants and similar funding to pay for the new facilities, some of which have deadlines prior to the end of the year.
3. Clear Space was granted Planning Commission approval for its project on August 14, 2020 , after which the decision was appealed to the Board of Commissioners which “remanded due to premature placement of the public hearing on the August 14, 2020 agenda.”¹
4. A significant group of local property owners, business owners and residents have gathered together to assist Clear Space in supporting the new theatre while being acutely aware of the need to resolve the fund raising eligibility.
5. Clear Space remains committed to listening to various and differing points of view and to constructive advice. As a result of discussions with community leaders and others involved in the proceedings, Clear Space has determined that it will undertake the following actions in order to entice support of the theatre project and to permit the Planning Commission to approve the project prior to the end of the year.
 - Will move the HVAC approximately 2 ft. further South on the Spotlight building and add fencing to buffer any potential noise;
 - Will add a water or similar feature in the sidewalk terrace to ensure that patrons do not gather close to the north side of the property;
 - Will install a fence along the North side of the property and at least 16 trees to blunt noise;
 - Clear Space will provide, from a qualified professional, a report explaining the design and steps taken to limit noise in compliance with or exceeding the Rehoboth Code standards;
 - Clear Space will provide information to ticket purchasers advising the location of parking on city streets and lots as (such as Museum lot) well as private lots (such as Chamber of Commerce and M & T Bank).
 - Will work with Police (as needed) to provide traffic direction and support.

¹ Letter of November 19, 2020, from Max B. Walton.

Affirmation and Certification:

Due to the time critical nature of the Planning Commission action in this matter (before December 31, 2020), the persons filing the current appeal do hereby agree that they will not file another appeal of a Planning Commission decision in these cases and so signify with their signatures below.

Signatures:

By execution of this agreement by its officers, Clear Space and Rehoboth Spotlight do hereby agree to the terms stated above.

Clear Space Theatre Company
Rehoboth Spotlight

Carl Schloegel, Board Chairman

Clear Space Theatre Company
Rehoboth Spotlight

Eugene M. Lawson, Jr., Esquire (Del. Bar No. 3516)
Counsel for Clear Space Theatre Company
Rehoboth Spotlight