

Sussex County Buffers and Wetlands Working Group

November 4, 2019

On November 4, 2019, beginning at 2:00 p.m., the Sussex County Buffers and Wetlands Working Group held a workshop at Sussex County's West Complex.

The following were present:

Chris Bason
Rich Borrasso
Jeff Clark
Ed Launay
Steve Marsh
Evelyn Maurmeyer
Danielle Swallow
Robert Tunnell, III
Bill Ullman

Jessica Watson
R.C. Willin
Jim Eisenhardt, RK&K
Janelle Cornwell, County Planning &
Zoning Director
Todd Lawson, County Administrator
Hans Medlarz, County Engineer
Vince Robertson, Assistant County Attorney
Sari Rothrock, RK&K

There were seven members of the public in attendance.

Todd Lawson gave a brief introduction and welcomed everyone. Copies of previous minutes were distributed and will be voted on at another time. Vince Robertson gave an overview, he stated that the draft ordinance has sections from the current ordinance; that some of the sections have been edited with strike through; and that some sections have been pulled from the Ocean View Ordinance. Discussion followed regarding the timetable for getting the final draft of the ordinance to County Council.

The workshop today will be about big picture items and two or three areas of the ordinance that need discussion. The draft ordinance was opened on screen for all attendees to view and some comments submitted by committee members prior to today's meeting were listed as track changes for the entire group to review and discuss.

The question was asked would the ordinance apply to all subdivisions. It was noted that the ordinance will apply only to major residential development.

It was decided that definitions for both resource buffer and buffer should be included with the ordinance. It was also clarified that when the ordinance is adopted that all other areas in County Code that have references to wetlands will also have to be updated to avoid having conflicting information. The title is to be listed as Wetlands and Water Resource Buffer

There was discussion about commercially zoned properties and why they were not being included. Mr. Lawson stated that commercial properties are outside the initial scope of the County Council request.

The Committee discussed the idea of buffering federally unregulated wetlands. It was agreed that unregulated wetlands would not be subject to County buffer regulation.

There was a lengthy discussion regarding the table showing the buffer activities by zone. Some concerns were raised about where access would be allowed; the type of access; the type of parking; the challenge of getting the public to abide by the approved access points; and that there should be no storage in the buffer areas. Further clarification is needed on the uses in the table and the possible inclusion of a new definition regarding water-related facilities.

During the discussion on grandfathering, it was decided to remove the language under D. 1 of the draft ordinance.

There was discussion about who could be considered a “Qualified Resource Professional”.

There was discussion regarding defining buffering width averaging, the type and percentage and whether it should be system-wide versus resource type. The consensus was to keep it system-wide.

An updated draft will be circulated in the future allowing time for Committee members to submit additional comments prior to the next meeting. A list of potential meeting dates will be sent out and the next meeting will be scheduled based on the Committee’s availability.

Mr. Robertson noted the ordinance will have two public hearings before both the Planning and Zoning Commission and County Council.

The meeting adjourned