

COUNTY COUNCIL

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Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

AGENDA

February 20, 2024

12:00 P.M.

Call to Order

Approval of Agenda

Approval of Minutes - February 6, 2024

Reading of Correspondence

Public Comments

Consent Agenda

1. **Proclamation Request – Girl Scout Week**
2. **Use of Existing Wastewater Infrastructure Agreement – IUA-1208
Long Neck Community Bank, Long Neck Area**
3. **Use of Existing Wastewater Infrastructure Agreement – IUA-1176
East Gate, Johnson’s Corner Area**

Todd Lawson, County Administrator

1. **Discussion related to Perimeter Buffer Update**
2. **Administrator’s Report**



Bill Pfaff, Director of Economic Development

1. **Delaware Coastal Business Park Leases**
 - A. **Delaware Technical Community College**
 - B. **JDJS, LLC**

Hans Medlarz, County Engineer, Ret.

1. **Chesapeake Utilities Natural Gas Service Expansion**
 - A. **Advance Customer Agreement – Rudder Lane**
2. **Inland Bays Loop Project, Project S24-01**
 - A. **DelDOT Utility Agreement**
3. **Long Neck Communities, project S21-10**
 - A. **Change Order No. 1**
4. **South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2**
 - A. **General Construction, Project C19-11, Change Order No. 33**

John Ashman, Director of Utility Planning & Design Review

1. **Permission to Prepare & Post Notices for Bosh Berries Annexation into the Sussex County Unified Sanitary Sewer District (Western Sussex Area)**
2. **South Greenwood Area of the Sussex County Unified Sanitary Sewer District – Resolution to Adopt the Boundary**

Old Business

1. **[Conditional Use No. 2397 filed on behalf of Mispillion Solar Farm, LLC](#)**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR ARRAY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 121.33 ACRES, MORE OR LESS” (property lying on the northwest side of Shawnee Road [Rt. 36] approximately 0.20 mile southwest of Old Shawnee Road [S.C.R. 42]) (911 Address: 7152 Shawnee Rd. Milford) (Tax Map Parcel: 130-3.00-63.00 [p/o])

2. [Conditional Use No. 2398 filed on behalf of Chaberton Energy \(Blue Hen Solar\)](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO ALLOW FOR A SOLAR FARM TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 61.15 ACRES, MORE OR LESS” (property lying on the southeast side of Hudson Road [S.C.R. 387], approximately 0.61 mile south of the intersection of Lighthouse Road [Route 54] and Hudson Road [S.C.R. 387]) (911 Address: N/A) (Tax Map Parcels: 533-17.00-187.00 [p/o])

3. [Conditional Use No. 2433 filed on behalf of Chaberton Solar](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR ARRAY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 50.50 ACRES, MORE OR LESS” (property lying on Marlyn Lane, on the south side of Lighthouse Road [Rt. 54], approximately 1.05 miles east of Hudson Road [S.C.R. 387]) (911 Address: 38510 Marlyn Lane, Selbyville) (Tax Map Parcel: 533-18.00-39.00)

4. [Conditional Use No. 2404 filed on behalf of Elk Development, LLC](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A SOLAR FARM TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 20.57 ACRES, MORE OR LESS” (property lying on the northwest side of Thorogoods Road [S.C.R. 333], approximately 0.5 mile southwest of Iron Branch Road [S.C.R. 331]) (911 Address: N/A) (Tax Map Parcel: 233-5.00-69.00)

5. [Conditional Use No. 2405 filed on behalf of Elk Development, LLC](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A SOLAR FARM TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 22.97 ACRES, MORE OR LESS” (property lying on the southeast side of Thorogoods Road [S.C.R. 333], approximately 0.5 mile southwest of Iron Branch Road [S.C.R. 331]) (911 Address: N/A) (Tax Map Parcel: 233-5.00-187.01)

Introduction of Proposed Zoning Ordinances

Council Members' Comments

1:30 p.m. Public Hearings

1. **[Conditional Use No. 2411 filed on behalf of Joshua Zuppo](#)**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TREE SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.94 ACRES MORE OR LESS” (property lying on the east side of Gravel Hill Road [Rt. 30], approximately 0.35 mile north of the intersection of Gravel Hill Road [Rt. 30] and John J. Williams Highway [Rt. 24]) (911 Address: 28121 Gravel Hill Road, Millsboro) (Tax Map Parcel: 234-32.00-30.00)

2. **[Change of Zone No. 1998 filed on behalf of Louis, Janet & William Melton](#)**

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO A B-2 NEIGHBORHOOD COMMUNITY DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.11 ACRES, MORE OR LESS” (properties lying on the southwest side of Old Mill Road [S.C.R. 349] and the northwest corner of Railway Road [S.C.R. 350], at the intersection of Railway Road [S.C.R. 350] and Old Mill Road [S.C.R. 349]) (911 Addresses: 36294, 36306, & 36328 Old Mill Road, Ocean View & N/A) (Tax Map Parcels: 134-12.00-73.00, 73.01, 73.02, & 73.03)

3. **[Change of Zone No. 1992 filed on behalf of Reed Properties, LLC](#)**

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.99 ACRES, MORE OR LESS” (property lying on the west side of Gravel Hill Road [Rt. 30], approximately 300 feet south of Milton Ellendale Highway [Rt.16], and the south side of Milton Ellendale Highway [Rt. 16], approximately 300 ft. west of Gravel Hill Road [Rt. 30]) (911 Address: 14742 Gravel Hill Road, Milton) (Tax Map Parcel: 235-13.00-29.01)

4. **[Change of Zone No. 1993 filed on behalf of Ocean One Holdings, LLC](#)**

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 64.85 ACRES, MORE OR LESS” (property lying on the west side of Coastal Highway [Rt. 1], and the southeast side of Broadkill Road [Rt. 16], at the intersection of Coastal Highway [Rt. 1] and Broadkill Road [Rt. 16]) (911 Address: N/A) (Tax Map Parcel: 235-8.00-39.00 [p/o])

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on February 13, 2024 at 4:15 p.m. and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.

The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/county-council>.