

COUNTY COUNCIL

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Sussex County

DELAWARE
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SUSSEX COUNTY COUNCIL

A G E N D A

APRIL 26, 2022

10:00 A.M.

***AMENDED on April 21, 2022 at 9:30 a.m.¹**

Call to Order

Approval of Agenda

Approval of Minutes – April 5, 2022

Reading of Correspondence

Public Comments

Presentation – Patti Grimes, Executive Director, Joshua M. Freeman Foundation

Consent Agenda

1. Use of Existing Sewer Infrastructure Agreement
Estuary Phase 4 & Oak Acres (County), Miller Creek Area
2. Use of Existing Sewer Infrastructure Agreement, IUA 807-1
Oyster House Village, West Rehoboth Area

Todd Lawson, County Administrator

1. Tribute – Cape Henlopen High School Cheerleading Squad
2. Administrator's Report



Robbie Murray, Emergency Medical Services Director

1. Dewey Beach Station Lease Agreement

Bill Pfaff, Director of Economic Development

1. Delaware Coastal Business Park Leases
 - A. Eastern Shore Poultry Company, Inc.
 - B. JDJS, LLC (dba) JennyGems

Hans Medlarz, County Engineer

1. Discussion and Possible Introduction of a Proposed Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$1,329,000 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE MULBERRY KNOLL SEWER DISTRICT PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”
2. Chapel Green, Conley’s Chapel Village & Wil King Road South Area, Project S20-16
 - A. Recommendation to Award
3. FEMA Mitigation Grant Application: FMA-PJ-03-DE-2018-002
 - A. Contract Award for 25867 Berry Street

Old Business

1. “AN ORDINANCE TO AMEND CHAPTER 99, SECTIONS 99-5, 99-6, 99-7, 99-23, 99-24, 99-26, AND 99-30, AND CHAPTER 115 SECTIONS 115-4, 115-25, 115-193, 115-220 AND 115-221 REGARDING CERTAIN DRAINAGE FEATURES, WETLAND AND WATER RESOURCES AND THE BUFFERS THERETO”

Grant Requests

1. Seaford Historical Society for Nanticoke Heritage Byway project
2. First State Community Action Agency, Inc. for golf tournament fundraiser
3. Shoes that Fit for School Uniforms for Sussex County students
4. Lord Baltimore Lions Charities, Inc. for Community Medical Equipment Loaner program

5. **Optimist International Foundation for Essay Contest, Youth Appreciation Day, Respect for Law project**
6. **Indian River Soccer Club for a new striper**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session – Land Acquisition pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session items

11:30 a.m. Recess for the EOC Topping Ceremony

Location: Emergency Operations Complex, 21911 Rudder Lane, Georgetown

1:30 p.m. Public Hearings

Conditional Use No. 2285 filed on behalf of Ashley DiMichele

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A TOURIST HOME TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.831 ACRES, MORE OR LESS” (property lying on the south side of Cave Neck Road [S.C.R. 88] approximately 0.43 mile west of Diamond Farm Road [S.C.R. 257]) (911 Address: 26182 Cave Neck Road, Milton) (Tax Parcel: 235-21.00-48.00)

Change of Zone No. 1953 filed on behalf of Brasure Holdings, 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 A PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.646 ACRES, MORE OR LESS” (property lying on the northwest side of Lighthouse Road [Rt. 54] approximately 0.27 mile southwest of Zion Church Road [Rt. 20]) (911 Address: 35131 Lighthouse Road, Selbyville) (Tax Parcel: 533-19.00-13.02)

Change of Zone No. 1967 filed on behalf of Henlopen Properties, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 43.777 ACRES, MORE OR LESS” (property lying on the southeast side of Kings Highway [Rt. 9] and on the north side of Gills Neck Road [S.C.R. 267]) (911 Address: N/A) (Tax Parcel: 335-8.00-37.00 [portion of])

Change of Zone No. 1968 filed on behalf of Henlopen 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 A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.041 ACRES, MORE OR LESS” (property lying on the southeast side of Kings Highway [Rt. 9] approximately 0.11-mile northeast of the intersection of Kings Highway [Rt.9] and Gills Neck Road [S.C.R. 267]). (911 Address: N/A) (Tax Parcel: 335-8.00-37.00 [portion of])

Conditional Use No. 2334 filed on behalf of Henlopen Properties, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM RESIDENTIAL DISTRICT FOR MULTI-FAMILY (267 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 43.777 ACRES, MORE OR LESS” (property lying on the southeast side of Kings Highway [Rt. 9] and on the north side of Gills Neck Road [S.C.R. 267]) (911 Address: N/A) (Tax Parcel: 335-8.00-37.00 [portion of])

Adjourn

¹ Per 29 Del. C. §10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended to address clerical errors.

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on April 19, 2022 at 4:30 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://sussexcountydela.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://sussexcountydela.gov/agendas-minutes/county-council>.

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