

## COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT  
DOUGLAS B. HUDSON, VICE PRESIDENT  
CYNTHIA C. GREEN  
JOHN L. RIELEY  
MARK G. SCHAEFFER



# Sussex County

DELAWARE  
sussexcountyde.gov  
(302) 855-7743

## SUSSEX COUNTY COUNCIL

### A G E N D A

JULY 26, 2022

10:00 A.M.

#### Call to Order

#### Approval of Agenda

#### Approval of Minutes – July 12, 2022

#### Reading of Correspondence

#### Public Comments

#### Todd Lawson, County Administrator

1. General Assembly Legislative wrap up
2. Administrator's Report

#### 10:15 a.m. Public Hearings

1. "AN ORDINANCE TO AMEND CHAPTER 52, § 52-1 OF THE CODE OF SUSSEX COUNTY TO ADOPT THE BUILDING CONSTRUCTION STANDARDS IN THE INTERNATIONAL BUILDING CODE 2021 EDITION AND THE INTERNATIONAL RESIDENTIAL CODE 2021 EDITION"
2. Proposed New Road Estates Pavement Improvements Assessment Roll

#### Hans Medlarz, County Engineer

1. Chapter 96 Sussex Community Improvements Program
  - A. New Road Estates Pavement Improvements, Project T21-08



2. **EMS Public Safety Building, Project C19-04**
  - A. **Change Order No. 15**
3. **Bulk Delivery of Magnesium Hydroxide, Project M21-12**
  - A. **Contract Escalation**
4. **Sussex County Landfills Site Maintenance**
  - A. **Change Order 1 – FY 23**

**Old Business**

1. **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])
2. **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])
3. **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])

**Grant Requests**

1. **Kody’s Kids, Inc. for activity supplies**
2. **The Nemours Foundation for Vaccine and Medication Barcoding**

## Introduction of Proposed Zoning Ordinances

### Council Members' Comments

#### Executive Session – Land Acquisition, Pending/Potential Litigation and Personnel pursuant to 29 Del.C.§10004(b)

##### Possible action on Executive Session items

###### 1:30 p.m. Public Hearings

“AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP ELEMENT OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 334-12.00-16.04” (property lying on the west side of John J. Williams Highway (Route 24), approximately 0.25 mile southwest of Mulberry Knoll Road (S.C.R. 284) (911 Address: N/A) (Tax Parcel: 334-12.00-16.04)

##### Change of Zone No. 1949 filed on behalf of J.G. Townsend Jr. & Co.

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 21.62 ACRES, MORE OR LESS” (property lying on the west side of John J. Williams Highway [Route 24], approximately 0.25 mile southwest of Mulberry Knoll Road [S.C.R. 284]) (911 Address: N/A) (Tax Parcel: 334-12.00-16.04)

##### Conditional Use No. 2304 filed on behalf of J.G. Townsend Jr. & Co.

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY (84 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 21.62 ACRES, MORE OR LESS” (property lying on the west side of John J. Williams Highway [Route 24], approximately 0.25 mile southwest of Mulberry Knoll Road [S.C.R. 284]) (911 Address: N/A) (Tax Parcel: 334-12.00-16.04)

##### Adjourn

**-MEETING DETAILS-**

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on July 19, 2022 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>.

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