

COUNTY COUNCIL

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Sussex County

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SUSSEX COUNTY COUNCIL

A G E N D A

AUGUST 11, 2020

10:00 A.M.

****AMENDED on August 6, 2020 at 11:17 a.m.¹**

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA

Call to Order

Approval of Agenda

Approval of Minutes – July 28, 2020

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

- 1. Appointment - Building Code Appeal Board
(Board of Adjustments & Appeals)**
- 2. Appointment - Advisory Committee for the Aging and Adults with Physical Disabilities**
- 3. Administrator's Report**

Gina Jennings, Finance Director

- 1. Delaware Transit Reimbursement Program Request**

William Pfaff, Economic Development Director

- 1. Kitchen Incubator Initiative**

Robert Schoonover, EMS Manager of Logistics



1. Vehicle Purchases RFP - Bid Results and Recommendation to Award

Jamie Whitehouse, Planning and Zoning Director

- 1. Request to withdraw Change of Zone No. 1914 filed on behalf of Ronald E. and M. Candice Gray**

Hans Medlarz, County Engineer

- 1. Carl M. Freeman Companies**
 - A. CMF Bayside LLC, Surrender of Oversizing Credits**
 - B. CMF Bayside, LLC, Infrastructure Use Agreement – Weidman Parcel**
 - C. Tidewater Landing, LLC, Payment in Lieu**
- 2. Chesapeake Utilities**
 - A. Granting of Utility Easement on Parcel 234-11.00-56.11**
 - B. Granting of Utility Easement on Parcel 135-20.00-75.00**
- 3. Herring Creek & Chapel Branch Sanitary Sewer Districts with Robinsonville Road Development Area Pump Stations, Project S20-06**
 - A. Change Order No. 1**
- 4. Herring Creek Sanitary Sewer District: North Gravity Sewer and Force Main, Project S20-07**
 - A. Approval of Award**
- 5. Materials – Forcemain Consolidation at South Coastal Regional Wastewater Facility, Project M 20-11**
 - A. Final Balancing Change Order and Final Acceptance**

John Ashman, Director of Utility Planning

- 1. Cherry Walk Annexation of the Sussex County Unified Sanitary Sewer District**
 - A. Public Hearing Results**

Grant Requests

- 1. West Side New Beginnings for community health and safety expenditures**
- 2. Millsboro Little League for new speaker system**

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

~~**DelDOT update and discussion related to Henlopen TID~~

1:30 p.m. Public Hearings

PLEASE REVIEW MEETING INSTRUCTIONS AT THE BOTTOM OF THE AGENDA.

Conditional Use No. 2223 filed on behalf of A&W Burbage, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BOAT & RV STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.93 ACRES, MORE OR LESS” (land lying on the northeast corner of Burgage Road and Jones Road, approximately 0.72 miles east of Omar Road) (Tax I.D. No. 134-14.00-36.00) (Part of) (911 Address: 32855 Jones Road, Frankford)

Conditional Use No. 2210 filed on behalf of Dewey Beer Company, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A MICROBREWERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS” (land lying on the east side of Harbeson Road (Route 5) approximately 707 feet north of Lewes-Georgetown Highway (Route 9) (Tax I.D. No. 235-30.00-21.00) (911 Address: 18499 Harbeson Road, Harbeson)

Conditional Use No. 2217 filed on behalf of Israel Bravo

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR STORAGE OF UTILITIES EQUIPMENT AND VEHICLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SEAFORD HUNDRED, SUSSEX COUNTY, CONTAINING 6.16 ACRES, MORE OR LESS” (land lying on the east side of Sanfilippo Road approximately 0.85 mile north of Eskridge Road (S.C.R. 531) (Tax I.D. No. 331-2.00-44.07) (911 Address: 20871 Sanfilippo Road, Bridgeville)

Change of Zone No. 1917 filed on behalf of Iacchetta Development Corporation

“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 BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.504 ACRE, MORE OR LESS” (land lying on the north side of Lighthouse Road (Route 54) approximately 293.7 feet west of West Line Road) (Tax I.D. No. 533-18.00-28.01) (911 Address: 33175 Lighthouse Road, Selbyville)

Adjourn

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on August 4, 2020 at 4:20 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.

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¹ Per 29 Del. C. § 10004 (e) (5) and Attorney General Opinion No. 13-IB02, this agenda was amended to delete the DelDOT update and discussion related to Henlopen TID to address a matter which arose after the initial posting of the agenda but before the start of the Council meeting.

Further meeting access instructions are listed below.

-MEETING INSTRUCTIONS-

The Sussex County Council is holding this meeting under the authority issued by Governor John C. Carney through Proclamation No. 17-3292.

The public is encouraged to view the meeting on-line. Any person attending in-person will be required to go through a wellness and security screening, including a no-touch temperature check. The public will be required to wear a facial mask.

Chambers seating capacity is limited and seating assignments will be enforced.

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

The County is required to provide 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>.

If any member of the public would like to submit comments electronically, please feel free to send them to rgriffith@sussexcountyde.gov. All comments shall be submitted by 4:30 P.M. on Monday, August 10, 2020.