

**COUNTY COUNCIL**

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**Sussex County**

DELAWARE  
sussexcountyde.gov  
(302) 855-7743

**SUSSEX COUNTY COUNCIL**

**A G E N D A**

**AUGUST 23, 2022**

**10:00 A.M.**

**Call to Order**

**Approval of Agenda**

**Approval of Minutes – August 9, 2022**

**Reading of Correspondence**

**Public Comments**

**Todd Lawson, County Administrator**

1. Administrator's Report

**Gina Jennings, Finance Director**

1. Delaware Transit Reimbursement Program Request

**Michael Costello, Government Affairs Manager**

1. Consideration and Possible Approval of Agreement for Removal of Improvements (Dickerson Rd., Millsboro)

**Robbie Murray, Director of Emergency Services**

1. Clinical Agreement between Delaware Technical Community College and Sussex County EMS



**Hans Medlarz, County Engineer**

- 1. Lochwood Communities Area Sewer Extension**
  - A. Melvin L. Joseph Construction Co. - Approval of Purchase Order for Headwater Cove Sewer Modifications**
- 2. EMS Public Safety Building, Project C19-04**
  - A. Change Order 16**
- 3. 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. 24**
- 4. Safe Water Drinking Act, Lead and Copper Rule Revisions**
  - A. 120 Water – Approval of Lead and Copper Proposal**
- 5. Lewes Board of Public Works Mutual Aid Agreement**
- 6. Herring Creek Sanitary Sewer Expansion**
  - A. Project Number S20-07**
  - B. Project Number S20-08**

**John Ashman, Director of Utility Planning & Design Review**

- 1. Request for Permission to Prepare and Post Notices**
  - A. Bethany Forest Annexation into the Sussex County Unified Sanitary Sewer District (Millville Area)**
  - B. Warwick Park Area Annexation into the Sussex County Unified Sanitary Sewer District (Oak Orchard Area)**

**Old Business**

**“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)**

**Grant Requests**

- 1. West Side New Beginnings, Inc. for Project Safety Street Lights**
- 2. Delaware State College Alumni Association for Band to the Beach**
- 3. Friends of the Milton Public Library for restoration of Milton High School yearbooks 1950-1974**
- 4. AIDS Delaware, Inc. for their AIDS Walk Delaware**
- 5. Autism Delaware, Inc. for their Blue Jean Ball**
- 6. Lewes Public Library for their “A Christmas Carol” event**
- 7. Concerns of Police Survivors, Inc. for their 20<sup>th</sup> Anniversary Celebration of the Delaware Chapter**

**Introduction of Proposed Zoning Ordinances**

**Council Members’ Comments**

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

**Possible action on Executive Session items**

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

**Conditional Use No. 2300 filed on behalf of MRBP, LLC**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 56.93 ACRES, MORE OR LESS” (property lying on the southwest side of McCary Road [S.C.R. 385], approximately 857-ft south of Frankford School Road [S.C.R. 92]) (911 Address: N/A) (Tax Parcels: 533-5.00-38.00 & 41.04)**

**Conditional Use No. 2301 filed on behalf of Jason Tedesco**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.00 ACRES, MORE OR LESS” (property lying on the west side of Roxana Road [Rt. 17] approximately 0.23 mile south of the intersection of Powell Farm Road [S.C.R. 365] and Peppers Corner Road [S.C.R. 365]) (911 Address: 34018 Roxana Road, Frankford) (Tax Parcel: 134-15.00-20.04)**

**Conditional Use No. 2303 filed on behalf of Antonia Lopez Lopez**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FOOD TRUCK BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.238 ACRES, MORE OR LESS” (property lying on the northwest side of Jersey Road [S.C.R. 305], approximately 500-feet southwest of the intersection of John J. Williams Highway [Rt. 24] and Hollyville Road [S.C.R. 305]) (911 Address: 26719 Jersey Road) (Tax Parcel: 234-32.00-55.00)**

**“AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, BY AMENDING SECTION 115-77.1 (LARGE SCALE USES) TO CLARIFY HOW FLOOR AREA IS CALCULATED”**

**Adjourn**

**-MEETING DETAILS-**

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on August 16, 2022 at 4:45 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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