

COUNTY COUNCIL

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Sussex County

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SUSSEX COUNTY COUNCIL

A G E N D A

NOVEMBER 30, 2021

12:30 P.M.

***AMENDED on November 24, 2021 at 1:15 p.m.¹**

Call to Order

Approval of Agenda

Approval of Minutes – November 16, 2021

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Administrator's Report

Hans Medlarz, County Engineer

1. Mulberry Knoll Sewer Collection System, Project S20-22
 - A. Recommendation to Award
 - B. Authorization to Submit Supplemental Funding Request
 - C. KCI – Amendment 4 – Construction Phase Services
2. Delaware Coastal Business Park Improvements, Project A21-11
 - A. Bid Results and Contract Action
3. EMS Public Safety Building – Project C19-04
 - A. Change Order No. 3



4. **Herring Creek Preserve Outdoor Recreation, Parks and Trails (ORPT)**
5. **Herring Creek Sanitary Sewer District: North Gravity Sewer and Force Main, Project S20-07**
 - A. **Change Order No. 5 – Time Extension & Contract Suspension**
6. **South Coastal Wastewater Facility Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Plant Capital Improvement Program, Phase 2**
 - A. **General Construction, Project C19-11, Change Order No. 14**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

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

Possible action on Executive Session items

1:30 p.m. Public Hearings

Conditional Use No. 2273 filed on behalf of Michael Parsons

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR THE USE OF COMMERCIAL DELIVERIES OF PARTS TO BE SOLD OFFSITE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.99 ACRES, MORE OR LESS” (property lying on the south side of Pecan Drive, approximately 475 feet east of Hopkins Road [S.C.R. 286]) (Tax I.D. No. 234-5.00-49.00) (911 Address: 30274 Pecan Drive, Lewes)

Conditional Use No. 2314 filed on behalf of Millsboro Fire Company

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FIRE DEPARTMENT SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.54 ACRES, MORE OR LESS” (property lying on the northeast corner of Millsboro Highway [Route 24] and Lewis Road [S.C.R. 409]) (Tax I.D. No. 133-20.00-17.16) (911 Address: 30134 Millsboro Highway, Millsboro)

Change of Zone No. 1936 filed on behalf of OA-BP Marina Bay-Lakeside, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT- RESIDENTIAL PLANNED COMMUNITY TO AMEND CONDITIONS OF APPROVAL OF CHANGE OF ZONE NO. 1883 (ORDINANCE NO. 2690) AND CHANGE OF ZONE NO. 1475 (ORDINANCE NO.

1573) RELATING TO THE MAXIMUM NUMBER AND TYPES OF HOUSING PERMITTED FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 778.39 ACRES, MORE OR LESS” (property lying on the south end of Bay Farm Road [S.C.R. 299] and south side of Trinity Road (S.C.R. 299A) (Tax I.D. Nos. 234-30.00-1.00 thru 430.00) (911 Address: None Available)

* Change of Zone No. 1937 filed on behalf of Double DB, LP

~~“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1/MR-RPC AGRICULTURAL RESIDENTIAL DISTRICT AND MEDIUM DENSITY RESIDENTIAL DISTRICT RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 29.07 ACRES, MORE OR LESS” (property lying on the west side of Wil King Road [Route 288] approximately 0.89 miles north of Conleys Chapel Road [Route 280B]) (Tax I.D. Nos. 234-6.00-26.00, 26.01, 26.02, 26.03, 26.05, and 59.19) (911 Addresses: 20440, 20452, and 20464 Wil King Road, Lewes)~~

Adjourn

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

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on November 23, 2021 at 4:00 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://sussexcountype.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://sussexcountype.gov/agendas-minutes/county-council>.

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