

COUNTY COUNCIL

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Sussex County

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SUSSEX COUNTY COUNCIL

A G E N D A

DECEMBER 17, 2019

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Recognition of the Delmar High School Field Hockey Team
2. Delaware Department of Transportation TID (Transportation Improvement District) Update and Discussion
3. Administrator's Report

Gina Jennings, Finance Director

1. Quarterly Pension Update
 - A. Actuarial Update
 - B. Change in Investment Allocation
 - C. Consultant Services

Robert Schoonover, Manager of EMS Logistics

1. Medic Station 101, Lincoln Community Center
 - A. Lease Renewal



Hans Medlarz, County Engineer

1. Discussion and Possible Introduction of a Proposed Ordinance entitled “AN ORDINANCE TO RESTATE AND CLARIFY THE CODE OF SUSSEX COUNTY, CHAPTER 110, ARTICLE XIII, SECTION 110-88, SUBSECTION D RELATING TO THE ESTABLISHMENT OF ANNUAL SERVICE CHARGES; DETERMINATION OF AMOUNT OF CHARGE”
2. South Coastal Regional Wastewater Facility Treatment Process Upgrade No. 3 and Rehoboth Beach Wastewater Treatment Plant Capital Improvement Program Upgrade Phase 2
 - A. General Construction, Project C19-11 – Recommendation to Award
 - B. Electrical Construction, Project C19-17 – Recommendation to Award
3. Delaware Coastal Business Park, Phase I, Project No. C19-15
 - A. Balancing Change Order and Substantial Completion

Janelle Cornwell, Planning and Zoning Director

1. Conditional Use No. 2176 filed on behalf of KH Sussex, LLC – reporting of public comments and for purpose of closing the record
2. Conditional Use No. 2186 filed on behalf of Mountaire Farms of Delaware, Inc. – reporting of public comments and for purpose of closing the record

Old Business

1. **Conditional Use No. 2185 filed on behalf of Vincent Kinack**
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY (2 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.4516 ACRES, MORE OR LESS” (Tax I.D. No. 234-4.00-42.00) (911 Address: 21167 Short Road, Harbeson)
2. **Conditional Use No. 2190 filed on behalf of Steven and Helen Falcone**
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.26 ACRE, MORE OR LESS” (Tax I.D. No. 334-5.00-212.00 and 213.00) (911 Address: 17662 Beaver Dam Road, Lewes)

3. **Conditional Use No. 2192 filed on behalf of Thomas and Judy Munce (Napoleon Hernandez)**
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CONDITIONAL USE NO. 1979 TO ALLOW FOR NIGHTCLUB TYPE ACTIVITIES AND AN ELECTRONIC MESSAGE CENTER SIGN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 3.033 ACRES, MORE OR LESS” (Tax I.D. No. 230-26.00-35.01) (911 Address: 12327 DuPont Boulevard (Route 113), Ellendale)
4. **Change of Zone No. 1895 filed on behalf of Gulfstream Development, LLC (Kent Apartments)**
“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A GR GENERAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.93 ACRES, MORE OR LESS” (Tax I.D. No. 134-16.00-382.00) (911 Address: None Available)
5. **Conditional Use No. 2195 filed on behalf of Gulfstream Development, LLC (Kent Apartments)**
“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY (45 APARTMENT UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.93 ACRES, MORE OR LESS” (Tax I.D. No. 134-16.00-382.00) (911 Address: None Available)

Grant Request

1. City of Seaford for the Police Department’s Citizen’s Police Academy
2. Grace-N-Mercy Ministries for Community Dinner

Introduction of Proposed Zoning Ordinances

Council Members’ Comments

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

Possible Action on Executive Session Items including Pending Litigation for C.A. No. 2018-0250-SG and C.A. No. 2019-0354-SG

Conditional Use No. 2196 filed on behalf of Wine Worx, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO ALLOW FOR AMENDMENTS TO CONDITIONS OF APPROVAL FOR CONDITIONAL USE NO. 2127 (ORDINANCE NO. 2600) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 25.60 ACRES, MORE OR LESS” (lying on the west side of Blackwater Road, approximately 1,007 feet north of Burbage Road (Tax I.D. No. 134-11.00-53.00) (911 Address: 32512 Blackwater Road, Frankford)

Conditional Use No. 2197 filed on behalf of Fenwick Commons, LLC

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY (62 DUPLEX UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.33 ACRES, MORE OR LESS” (lying at the southwest corner of Lighthouse Road (Route 54) and Sand Cove Road, and the east side of Sand Cove Road, approximately 211 feet south of Lighthouse Road (Route 54) (Tax I.D. No. 533-19.00-52.00) (911 Address: Not Available)

Change of Zone No. 1896 filed on behalf of Fenwick Commons, LLC

“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 BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.33 ACRES, MORE OR LESS” (lying at the southwest corner of Lighthouse Road (Route 54), and Sand Cove Road, and the east side of Sand Cove Road, approximately 211 feet south of Lighthouse Road (Route 54) (Tax I.D. No. 533-19.00-52.00) (911 Address: Not Available)

Change of Zone No. 1897 filed on behalf of Preston Dyer

“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 AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.97 ACRES, MORE OR LESS” (lying on the north side of Lewes Georgetown Highway (Route 9) approximately 428 feet east of Josephs Road) (Tax I.D. No. 334-4.00-37.01) (911 Address: 28855 Lewes Georgetown Highway (Route 9), Lewes)

Adjourn

Sussex County Council meetings can be monitored on the internet at www.sussexcountype.gov.

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on December 10, 2019 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.

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