

**Sussex County  
Planning & Zoning Commission**

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John L. Allen, Chairman  
Robert C. Wheatley, Vice-Chairman  
W. Layton Johnson  
Ronald P. Lynch  
Benjamin Gordy  
Lawrence B. Lank, Director

AUGUST 14, 2003

The regular meeting of the Sussex County Planning and Zoning Commission will be held Thursday evening, AUGUST 14, 2003, at 7:00 P.M., in the County Council Chambers, County Administrative Office Building, Georgetown, Delaware.

AGENDA

- I. Call to Order
- II. Approval of Agenda
- III. Approval of Minutes of July 24, 2003
- IV. Old Business
  1. C/U #1496 -- Julie Schroeck RL
  2. C/Z #1512 -- Percy, Inc. RL
  3. C/U #1512 -- Randall J. and Diane M. Pentoney RL
  4. Subdivision #2002-14 -- J. & Y. Parker Family L.P.  
Final RL
  5. Subdivision #2001-25 -- S & M Ventures  
Final LJ
  6. Subdivision #2003-9 -- 1<sup>st</sup> State Development, L.L.C.  
Preliminary JA
  7. Subdivision #2003-10 -- Woodgate Enterprises, Inc.  
Preliminary LJ
  8. Subdivision #2003-12 -- LT Associates  
Preliminary LJ
  9. Subdivision #2003-14 -- H.M. Properties, Route 23, L.L.C.  
Preliminary LJ

V. Public Hearings

1. C/U #1497 -- Bobby R. Jones JA
2. C/U #1498 -- Synagro-WWT, Inc. LJ
3. C/U #1499 -- Synagro-WWT, Inc. LJ
4. C/U #1500 -- Superior Lawn and Landscaping BG
5. C/U #1501 -- Rehoboth Bay Conservancy, LLC LJ
6. Ordinance Amendment -- Chapter 115 -- Environmentally Sensitive  
Development District

VI. Other Business

1. Wilgus Associates, Inc. JA  
C/U #1480 -- Site Plan - Savannah Road
2. Jay Beach LJ  
C/U #1370 -- Revised Site Plan - Route 24
3. Raymond Michitti RL  
C/U #1360 -- Time Extension - Road 357
4. Bill Cain LJ  
Front Yard Determination - Road 312
5. Americana Bayside MR/RPC RL  
C/Z #1393 -- Master Plan - Route 54

Pursuant to 29 Del.C. § 10004 (e) (2) Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the Meeting.

POSTED: JULY 28, 2003

## OLD BUSINESS

1. C/U #1496 -- application of **JULIE SCHROECK** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for an antique shop/art gallery to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 39,281 square feet, more or less, lying south of Route 26, 0.6 mile east of Route 365.
2. C/Z #1512 -- application of **PERCY, INC.** to amend the Comprehensive Zoning Map from an AR-1 Agricultural Residential District to a B-1 Neighborhood Business District for a certain parcel of land lying and being in Baltimore Hundred, Sussex County, land lying northeast of Route 382, 600 feet north of Route 17, to be located on 8.223 acres, more or less.
3. C/U #1512 -- application of **RANDALL J. PENTONEY AND DIANE M. PENTONEY** to consider the Conditional Use of land in a MR Medium Density Residential District for a multi-family dwelling structure (2 units) to be located on a certain parcel of land lying and being in Baltimore Hundred, Sussex County, containing 6,000 square feet, more or less, lying north of Admiral Road, 500 feet east of Route One and 60 feet west of Ocean Road, and being Lot 19 within Tower Shores Subdivision.
4. Subdivision #2002-14 -- application of **J. & Y. PARKER FAMILY L. P.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Dagsboro Hundred, Sussex County, by dividing 3.82 acres into 6 lots, located north of Road 331, 640 feet southeast of Road 339.
5. Subdivision #2001-25 -- application of **S & M VENTURES** to consider the Subdivision of land in a MR Medium Density Residential District in Dagsboro Hundred, Sussex County, by dividing 35.63 acres into 60 lots, located 1,300 feet southwest of Road 318, 300 feet southeast of Road 324.
6. Subdivision #2003-9 -- application of **1<sup>ST</sup> STATE DEVELOPMENT, L.L.C.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Cedar Creek Hundred, Sussex County, by dividing 31.90 acres into 30 lots, located south of Road 38, 791.51 feet east of Road 216.
7. Subdivision #2003-10 -- application of **WOODGATE ENTERPRISES, INC.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 50.99 acres into 30 lots and a variance from the maximum allowed cul-de-sac length of 1,000 feet, located south of Road 280, 1,715 feet east of Road 290.

8. Subdivision #2003-12 -- application of **LT ASSOCIATES** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Lewes and Rehoboth Hundred, Sussex County, by dividing 163.62 acres into 162 lots, located east of Road 267, 0.8 mile east of Road 268.
9. Subdivision #2003-14 -- application of **H.M. PROPERTIES, ROUTE 23, L.L.C.** to consider the Subdivision of land in an AR-1 Agricultural Residential District in Indian River Hundred, Sussex County, by dividing 240.81 acres into 352 lots, located at the southwesterly corner of the intersection of Road 286 and Road 285.

#### PUBLIC HEARINGS

1. C/U #1497 -- application of **BOBBY R. JONES** to consider the Conditional Use of land in an AR-1 Agricultural Residential District to construct, build, and repair wooden pallets to be located on a certain parcel of land lying and being in Nanticoke Hundred, Sussex County, containing 13.392 acres, more or less, lying northwest of Route 611, 1,500 feet south of Route 16.
2. C/U #1498 -- application of **SYNAGRO-WWT, INC.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for land application of Selbyville and Georgetown, Delaware, wastewater treatment plant biosolids as an amendment to Conditional Use No. 1373 and Conditional Use No. 1399 to be located on a certain parcel of land lying and being in Georgetown Hundred, Sussex County, containing 88.0 acres, more or less, lying southeast of Route 321, south of Route 324 and west of Railroad.
3. C/U #1499 -- application of **SYNAGRO-WWT, INC.** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for land application of Selbyville and Georgetown, Delaware, wastewater treatment plant biosolids as an amendment to Conditional Use No. 1372 and Conditional Use No. 1400 to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 220 acres, more or less, lying northeast of Route 48, northeast of Railroad, southwest of Route 318, and on both sides of Route 432.
4. C/U #1500 -- application of **SUPERIOR LAWN AND LANDSCAPING** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a lawn and landscaping business-no retail to be located on a certain parcel of land lying and being in Dagsboro Hundred, Sussex County, containing 15.6 acres, more or less, lying west of Route 431 (Shortley Road), across from Route 322 (King Road).

5. C/U #1501 -- application of **REHOBOTH BAY CONSERVANCY, LLC** to consider the Conditional Use of land in an AR-1 Agricultural Residential District for a community recreational center and parking to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 10.66 acres, more or less, lying west of Route 279 (Camp Arrowhead Road), 1.1 mile south of Route 277 (Angola Road).
6. Ordinance Amendment -- AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ADD A NEW SECTION CREATING AN ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE.