

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JANUARY 14, 2025

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, January 14, 2025, at 10:00 a.m., in Council Chambers, with the following present:

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|------------------------------|-----------------------------|
| Douglas B. Hudson | President |
| John L. Rieley | Vice President |
| Jane Gruenebaum | Councilwoman |
| Matt Lloyd | Councilman |
| Steve C. McCarron | Councilman |
| Todd F. Lawson | County Administrator |
| Gina A. Jennings | Finance Director |
| J. Everett Moore, Jr. | County Attorney |

The Invocation and Pledge of Allegiance were led by Mr. Hudson.

**Call to
Order**

Mr. Hudson called the meeting to order.

**M 018 25
Approve
Agenda**

Mr. Lawson reported that under Executive Session – Land Acquisition and possible action on Executive Session Items can be removed from today’s agenda. A Motion was made by Mr. Rieley, seconded by Mr. McCarron, to approve the Agenda, as amended.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Minutes

The minutes from January 7, 2025 were approved by consensus.

**Corre-
spondence**

Mr. Moore read correspondence received from The Arc of Delaware, Boys and Girls Club of Delaware, Delaware Hospice and Cancer Support Community Delaware all thanking Council for their donation.

**Public
Comments**

Public comments were heard, and the following people spoke:

Mr. Mike Riemann spoke about a proposed moratorium.

Ms. Trish Galu spoke about a proposed moratorium.

Mr. Ed Capodanno spoke about a proposed moratorium.

Ms. Stephanie Moody spoke about a proposed moratorium.

Mr. Ron Ford spoke about a proposed moratorium.

**Public
Comments
(continued)**

Mr. Scott Thomas spoke about a proposed moratorium.

Mr. Joe Conaway spoke about a proposed moratorium.

Dr. David Tam spoke about a proposed moratorium.

Mr. Jack Vassalotti spoke about a proposed moratorium.

Mr. Christopher Duke-Acelde spoke about a proposed moratorium.

Ms. Bailey Thompson spoke about a proposed moratorium.

Ms. Jill Hicks spoke about a proposed moratorium.

Mr. Joe Pika spoke about a proposed moratorium.

Mr. John Timmons spoke about a proposed moratorium.

Mr. John Collier spoke about a proposed moratorium.

Mr. Jamie Burk spoke about a proposed moratorium.

Mr. Ken Christenbury spoke about a proposed moratorium.

Ms. Michelle Williams spoke about a proposed moratorium.

Mr. David Chun spoke about a proposed moratorium.

Mr. Johannes Ayre spoke about a proposed moratorium.

Mr. George Lodato spoke about a proposed moratorium.

Mr. Jack Riddle spoke about a proposed moratorium.

Mr. Dave Gillian spoke about a proposed moratorium.

Ms. Allison White spoke about overdevelopment.

Ms. Lily Weatherby spoke about a proposed moratorium.

Ms. Katie Millard spoke about a proposed moratorium.

Mr. Jonathan Cortant spoke about a proposed moratorium.

Mr. Ring Lardner spoke about a proposed moratorium.

Mr. Steve Fortunato spoke about a proposed moratorium.

Mr. Doug Brown spoke about a proposed moratorium.

**Public
Comments
(continued)**

Mr. Andy Engh spoke about a proposed moratorium.

Mr. R.C. Willin spoke about a proposed moratorium.

Mr. Kevin Bowman spoke about a proposed moratorium.

Ms. Shelly Cecchett spoke about a proposed moratorium.

Mr. Rich Barroso spoke about a proposed moratorium.

Mr. Bruce Wright spoke about a proposed moratorium.

Mr. Richard Garnfi spoke about a proposed moratorium.

Ms. Judy Rose Siebert congratulated the new Council Members and spoke about a proposed moratorium.

A caller, Mickayla spoke about a proposed moratorium.

**Develop-
ment
Initiatives
Discussion**

Councilman Matt Lloyd commented that he mentioned a moratorium on accepting applications on a specific type of development in AR-1 lands, 5 or more homes, major subdivisions for a period of 12 months. He added that jobs would not be lost, and this would not hurt the economy. There is currently a back log of applications that span between 14 to 22 months. He is speaking about the administrative pause on processing new applications. He stated that the current growth practices into our farmlands isn't working. He added that we need to become serious about what changes need to be made. Mr. Lloyd stated that the public has been screaming about this for the better part of 10 years. There are ways to show what is being done is not working. The issue of overdevelopment has dominated the conversation over the last year with things such as loss of natural resources, sprawl, growth in farmland, pressure on the ag industry, lack of workforce housing, rezoning, fees for schools, fire departments and other items. He is not talking about the immediate adoption of a moratorium but entertaining the points around the discussion. He has asked legal counsel to draft this targeted moratorium. His understanding of the process is upon introduction of the proposed Ordinance, it will then be advertised and heard at PZ and then another hearing advertised and then ultimately voted on by the Council for approval or denial.

Mr. Rieley questioned the point of moving this forward if there is no will with Council to pursue or adopt a moratorium. He encouraged people to submit suggestions and ideas of how the problem can be addressed. He understands that the time to work on it is now. He is in opposition of asking the attorneys to put forth an Ordinance for introduction. He would rather focus attention on concrete actions on specific items. He added that the previous Council updated the drainage and buffer Ordinance in 2022, Sussex County Rental Program in 2022, requirements for solar farms, when amenities must be constructed in subdivisions, definition of through lots

**Development
Initiatives
Discussion
(continued)**

and accessory dwelling units have all been updated. In addition, the definition of perimeter buffer and open space has been updated. Just last month, 99C with 17 items for criteria for subdivisions was updated. His mail as he has received it throughout the week, shows a 4 to 1 against a moratorium.

Ms. Gruenebaum commented that the call for affordable housing is clear and urgent. We can't do it the way we have done it in the past and fall back that government is slow and takes time. There has to be time to do research and do it correctly and she understands that. She added that this is an urgent situation, and she is looking for an aggressive effort to solve that problem. She appreciates the timeline that was put in place by some of the speakers. She added that her job is to ensure the best possible process for development that ensures that we take care of our environment. We have to work together to address the issues of affordable housing and not just add more problems to our roads without addressing the issues that are already in place. This is an urgent situation that requires us to get to work now.

Mr. McCarron said that he was going to question but it was confirmed that there is a financial impact on moving forward in asking to have an Ordinance developed. He believes that taxpayer's money should be spent wisely. It was heard many times today that a working group needs to be put together and he believes the time is now to develop a vision for Sussex County. He campaigned on a platform on responsible growth and ensuring infrastructure was in place before development. At no point was a moratorium mentioned. He added that he would appreciate more time to get to do the job he was elected to do. Our efforts must align with the State, and they are currently undergoing new leadership.

Mr. Rieley added that anything that is done here, if the towns do not enact a moratorium, it would be ineffective. He added that government has to be predictable in everything that is done.

Mr. Lloyd commented that if everyone can agree that what we are doing isn't working, why would we continue to accept applications that have consequences. He prefers a timeline and the sense of urgency.

**M 019 25
Recess**

At 12:09 p.m., a Motion was made by Mr. Rieley, seconded by Mr. McCarron to recess for 5 minutes.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**M 020 25
Reconvene**

At 12:15 p.m., a Motion was made by Mr. Rieley, seconded by Mr. Lloyd to reconvene.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**Adminis-
trator's
Report**

Mr. Lawson read the following information in his Administrator's Report:

1. County Meeting/Holiday Schedule

County offices will be closed on Monday, January 20th for the Martin Luther King Jr. Holiday. Offices will reopen on Tuesday, January 21st at 8:30 a.m. Council will not meet on January 21st. The next regularly scheduled Council meeting will be on Tuesday, January 28th.

[Attachments to the Administrator's Report are not attached to the minutes.]

**Permission
to Prepare
& Post
Notices/
Travalini
Expansion
of SCUSSD**

John Ashman, Director of Utility Planning & Design Review presented a permission to prepare and post notices for Travalini Expansion of the Sussex County Unified Sanitary Sewer District (Millville Area). The Engineering Department has received a request from Louis Travalini owner of parcel 134-11.00-141.00 adjacent to the existing Millville Area of the SCUSSD. Parcel is along Hickory Manor Road and providing an easement for the adjacent Hunters Creek (Salt Air) project for stormwater conveyance. In exchange Hunters Creek will pay to connect the parcels on the Travalini parcel. The project will be responsible for System Connection Charges of \$7,700 per EDU or based on current rates.

**M 021 25
Approve
Permission
to Prepare
& Post
Notices/
Travalini
Expansion**

A Motion was made by Mr. Rieley, seconded by Mr. Lloyd that be it moved by the Sussex County Council that the Sussex County Engineering Department is authorized to prepare and post notices for the Travalini Expansion of the Sussex County Unified Sanitary Sewer District to include parcel 134-11.00-141.00 as presented.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**Permission
to Prepare
& Post
Notices/Love
Creek
Manufact-**

John Ashman, Director of Utility Planning & Design Review presented a permission to prepare and post notices for Love Creek Manufactured Home Community (Angola Neck Area). The Sussex County Engineering Department has received a request from Love Creek MHC, LLC to annex the Love Creek Mobile Home Community, consisting of 168 homes and 10 campers, into the Sussex County Unified Sanitary Sewer District for the purpose of providing County central sewer service to parcel 334-18.00-

ured Home Community 32.00. the community is located directly adjacent to the tidal portion of Love Creek. Under the State of Delaware’s promulgated Pollution Control Strategy for the Inlands Bays the areas within 1,000 feet off water’s edge were to be connected to central sewer under priority one in 2008. The community is served by individual on-site “system” with two homes per system. Most of the disposal areas are very limited in size and possibility not much more than a converted cesspool. If connected, the environmental impact of removing almost three tons of nitrogen per year from the Inland Bays is significant.

M 022 25 A Motion was made by Ms. Gruenebaum, seconded by Mr. Rieley that be it
Approve moved by the Sussex County Council that the Sussex County Engineering
Permission Department is authorized to prepare and post notices for the Love Creek
to Prepare Manufactured Home Community of the Sussex County Unified Sanitary
& Post Sewer District to include parcel 334-18.00-32.00 as presented.
Notices/

Love Creek Motion Adopted: 5 Yeas

Manfactu- Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
red Home Mr. Lloyd, Yea; Mr. Rieley, Yea;
Community Mr. Hudson, Yea

Cannon Hans Medlarz, Project Engineer presented change order nos. 7 and 8 and
Road CO 7 granting of substantial completion for Cannon Road – Inland Bays Road
& 8/Sub Drainage Improvements and Constructed Wetlands for Council’s
Completion consideration.

M 023 25 A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, that be it
Approve CO moved based up the recommendation of the Sussex County Engineering
No. 7 & 8 & Department that change order nos. 7 and 8 for contract S22-05, Cannon
Substantial Road/Inland Bays Road drainage improvements and constructed wetlands,
Completion/ be approved, adjusting the contract amount by \$453,283.77 and \$(-
Cannon 368,561.85), respectively, and that substantial completion be granted
Road effective November 15, 2024, with any held retainage released in accordance
with the contract documents.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

Wolfe Neck Hans Medlarz, Project Engineer presented GHD Amendment 28 for ocean
Amed No. 28 outfall benthic testing and dispersion modeling for Council’s consideration.

M 024 25 A Motion was made by Ms. Gruenebaum, seconded by Mr. Rieley, be it
Approve moved based upon the recommendation of the Sussex County Engineering
Amendment Department, that amendment no. 28 to the base engineering contract with
No. 28/ GHD, Inc., be approved in the amount not to exceed of \$474,000.00, for

Wolfe Neck **benthic study and dispersion modeling associated with the Rehoboth Beach ocean outfall.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Introduction of Proposed Ordinances **Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MOBILIZATION YARD FOR THE PARK AVENUE RELOCATION PROJECT TO INCLUDE THE STORAGE OF SOIL AND MATERIALS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 5.96 ACRES, MORE OR LESS” filed on behalf of Richard H. Bell, III.**

Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.82 ACRES, MORE OR LESS” filed on behalf of William Melton.

Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A LI-1 LIMITED INDUSTRIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 23.10 ACRES, MORE OR LESS” filed on behalf of Parkada Investments, LLC.

Mr. Rieley introduced a Proposed Ordinance entitled “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 DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 5.03 ACRES, MORE OR LESS” filed on behalf of Parkada Investments, LLC.

The Proposed Ordinances will be advertised for a Public Hearing.

Council Members’ Comments

There were no Council Member comments.

M 025 25 Adjourn

A Motion was made by Mr. Rieley, seconded by Mr. McCarron to adjourn at 12:35 p.m.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Respectfully submitted,

**Tracy N. Torbert
Clerk of the Council**

{An audio recording of this meeting is available on the County's website.}