

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, FEBRUARY 27, 2018

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, February 27, 2018, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
George B. Cole	Vice President
Robert B. Arlett	Councilman
Irwin G. Burton III	Councilman
Samuel R. Wilson Jr.	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. Vincent.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 118 18
Approve
Agenda**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to approve the Agenda, as posted.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of February 20, 2018 were approved by consent.

**Public
Comments**

Public Comments

John Bucchioni commented on the Overbrook Town Center application and stated his opposition to the project.

Larry Trombello commented on development in Sussex County, both residential and commercial.

Rev. Charles Covington, Sr. presented, on behalf of the Delaware Lions Foundation, a President's Certificate of Appreciation to the Sussex County Council for its many years of financial support.

Report

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

**Adminis-
trator's
Report**

1. **Sussex County Council Comprehensive Land Use Plan Workshop**

The next Sussex County Council Comprehensive Land Use Plan Workshop will be held on Wednesday, February 28th, at 9:30 a.m. in Council Chambers. A copy of the agenda is attached.

2. **Council Meeting Schedule**

A reminder that Council will not meet on March 6th. The next regularly scheduled Council meeting will be held on Tuesday, March 13th at 10:00 a.m.

3. **Sussex County EMS JEMS Team – Gold Medal**

The Sussex County EMS competition team returned home as Gold Medal winners from the JEMS (Journal of Emergency Medical Services) games held in Charlotte, North Carolina, last week. The team competed against 26 other teams from throughout the country over two days.

The preliminary round included a general knowledge test, emergency maternity, trauma resuscitation from a motor vehicle crash, and a mass casualty incident with 15 patients from a bombing of a government office. They completed the preliminary day in first place.

Their final scenario had the team initially treating an overdose patient in a nightclub. During a short time into the scenario, a gunman entered shooting multiple patrons and a security dog, creating another mass casualty incident. The team performed at a high level and again demonstrated that they were more than up for the challenge by winning the Gold Medal.

Please join me in congratulating the EMS team of Jason Hansen, Bonnie O'Bier, Brandon Rogers, Chaz Tennermann, and John Wright.

4. **Hans Medlarz – Delaware Engineer of the Year**

The Delaware Engineering Society (DES) announced Hans M. Medlarz as its 2018 Engineer of the Year during the Society's annual banquet last Thursday, February 22, 2018. Hans joins a long list of distinguished professionals who have been honored with this award. Hans has spent over 30 years in the profession, and during that time he has represented 13 municipalities throughout Delaware and served as County Engineer for both Kent and Sussex County. Over his career Hans has left his mark on the engineering profession, and his dedication and innovation are now recognized as the 2018 Engineer of the Year.

Administrator's Report (continued)

A complete copy of the DES program honoring Hans is attached. Please join me in congratulating Hans on being named the 2018 Delaware Engineer of the Year.

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

Recognition of EMS JEM Team

The Council recognized and congratulated the Sussex County EMS JEMS Team.

Recognition/ Hans Medlarz

The Council recognized and congratulated Hans Medlarz, Delaware Engineer of the Year,

Bid Results/ Bulk Delivery of Sodium Hypochlorite/ Project #18-14

Hans Medlarz, County Engineer, presented the bid results for Bulk Delivery of Sodium Hypochlorite, Project #18-14: Coyne Chemical bid the lowest price per gallon at \$1.07 and Intercoastal Trading bid the lowest price for the 30-gallon drum at \$105.00. Mr. Medlarz reported that the Engineering Department recommends the first contract year award of the base bid for bulk delivery of sodium hypochlorite to Coyne Chemical at the unit price of \$1.07 per gallon and award to Intercoastal Trading for the alternate bid at the unit price of \$105.00 per 30 gallon drum; if both suppliers perform satisfactorily, the contract allows a one year extension at the discretion of the Engineering Department.

M 119 18 Award Bid/ Bulk Delivery of Sodium Hypochlorite/ Project #18-14

A Motion was made by Mr. Arlett, seconded by Mr. Cole, based upon the recommendation of the Engineering Department, that the Base Bid for Sussex County Project #18-17, Bulk Delivery of Sodium Hypochlorite, be awarded to Coyne Chemical at the bid amount of \$1.07 per gallon and Intercoastal Trading, Inc. be awarded the Alternate Bid in the amount of \$105.00 per 30 gallon container.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea

Request to Post Notices/ Arbor-Lyn Expansion

John Ashman, Director of Utility Planning, presented a request to prepare and post notices for the Arbor-Lyn Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area) (Parcels 334-12.00-127.02, 127.04 and 127.05). The expansion was requested by Limitless Development Consultants, LLC; the expansion will consist of 35.46 acres± and is proposed at 144 EDUs. The project will be responsible for System Connection Charges of \$6,360.00 per EDU based on current rates.

Mr. Ashman reported that the Engineering Department would like to look at including Parcel 124.01; during the posting, the property owners would be asked if they would like to be included in the annexation.

M 120 18 **A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that the**
Authorize **Engineering Department is authorized to prepare and post notices for the**
Posting of **Arbor-Lyn Expansion of the Sussex County Unified Sanitary Sewer District**
Notices/ **(West Rehoboth Area), as presented.**

Arbor-Lyn
Expansion

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea

Time
Extension
Request

Janelle Cornwell, Planning and Zoning Director, presented a request for a
time extension for the Bayliss Estates subdivision application (#2004-55).
Ms. Cornwell reported on the status of agency approvals.

M 121 18
Grant
Time
Extension/
Bayliss
Estates
#2004-55

A Motion was made by Mr. Arlett, seconded by Mr. Cole, that the Sussex
County Council grant a one-time six-month time extension for Subdivision
Application No. 2004-55, Bayliss Estates.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea

Report on
CZ 1834

Janelle Cornwell, Planning and Zoning Director, reported on Change of
Zone No. 1834 filed on behalf of Colonial East, L.P. The Council held a
Public Hearing on this application on December 12, 2017 at which time
action was deferred and the record was left open until January 30, 2018 to
allow for the receipt of a Traffic Impact Study. On that date, it was noted
that once the report is received and reported to Council, a 15-day period is
to be allowed for persons to respond (in writing only). Ms. Cornwell
reported that the Traffic Impact Study was received by the Planning and
Zoning Department on February 21, 2018.

Old
Business/
Commercial
Zoning
Ordinance

Under Old Business, the Council considered the Proposed Ordinance
entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX
COUNTY, CHAPTER 115, ARTICLES I, X, XIA, XX, XXI, XXIII, XXV
AND XXVII BY AMENDING SECTIONS 115-4, 115-5, 115-75, 115-83.10,
115-156, 115-195.4, 115-159.5, 115-161.1, 115-170.1, 115-180, 115-194.1,
AND 115-218, AND BY CREATING NEW ARTICLES XA, XB, XIB, XIC,
XID, XIE, AND XIF AND ADDING NEW SECTIONS 115-75.1
THROUGH 115-75.13 AND 115-83.11 THROUGH 115-83.46 TO CREATE
A NEW “B-2 BUSINESS COMMUNITY” DISTRICT; “B-3 BUSINESS
RESEARCH” DISTRICT; “C-2 MEDIUM COMMERCIAL” DISTRICT;
“C-3 HEAVY COMMERCIAL” DISTRICT; “C-4, PLANNED
COMMERCIAL” DISTRICT; “C-5, SERVICE/LIMITED
MANUFACTURING” DISTRICT, AND “I-1, INSTITUTIONAL”
DISTRICT; TO CLOSE THE CR-1 AND B-1 DISTRICTS; TO AMEND

**Old
Business/
Commercial
Zoning
Ordinance
(continued)**

**“115 ATTACHMENT 3, SUSSEX COUNTY TABLE III”; TO CREATE
“115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV”.**

**Vince Robertson, Assistant County Attorney, and Janelle Cornwell,
Planning and Zoning Director, were present to discuss the Proposed
Ordinance.**

**The Planning and Zoning Commission held a Public Hearing on the
Proposed Ordinance on December 21, 2017. The Commission
recommended approval of the revised Proposed Ordinance with the
following further recommendations:**

- 1. That County Council should increase the height permissible in the
C-2, C-3, C-4, C-5 and I-1 districts upon a showing that the increased height
preserves such things as open space, interconnectivity or setbacks.**
- 2. Remove the language “... but not including major repair work such
as motor replacement, body and fender repair or spray painting” from lines
210 and 211 of the ordinance.**

**The Council held a Public Hearing on this application on January 2, 2018 at
which time action was deferred and the record was left open for seven (7)
days for written comments only (thereafter, staff would have one week to
review and consider the comments and report back to Council).**

**It was noted that staff reported back to Council on January 23, 2018. Mr.
Robertson reported that comments received were reviewed and considered
by staff and, as a result, there are recommended changes to the Proposed
Ordinance, including establishing an effective date.**

**Based on the Planning and Zoning Commission’s recommendations, public
input and Council’s review of the Proposed Ordinance, Mr. Robertson
presented recommended changes and Council discussed and considered the
recommendations.**

**M 122 18
Amend
Proposed
Ordinance**

**A Motion was made by Mr. Arlett, seconded by Mr. Burton, in §115-4,
amend the definition of “Service or Filling Station” at Lines 207-211 to
delete the phrase “but not including major repair work such as motor
replacement, body and fender repair or spray painting”.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

M 123 18

**A Motion was made by Mr. Arlett, seconded by Mr. Burton, in §115-4,
delete the reference to “townhouses” at Line 327 regarding the definition of
“Care Facilities” and replace that word with “multifamily”.**

**M 123 18
Amend
Proposed
Ordinance
(continued)**

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 124 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-4, amend the definition of “Recreation Facility” at Lines 401-402 to delete the phrase “and leisure-time activities”.

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 125 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-75.2, amend the “Permitted Uses” within the B-2 District to delete “Home Occupation” as a permitted use at Line 593.

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 126 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-75.2 (B-2 District), to amend Line 599 to state “Retail sales establishments *30,000* square feet or less.”

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 127 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-75.2 (B-2 District), to amend Line 600 to state “Pharmacy or related uses *30,000* square feet or less.”

Motion Adopted: 5 Yeas.
**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 128 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, in §115-75.6B, to amend the setbacks at Line 737 in the B-2 District so that it states: a 40 foot front yard setback, a 10 foot side yard setback and a 10 foot rear yard

**M 128 18
(continued)**

setback.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 129 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, in §115-75.9 (B-3) Line 785, add “Biotech Campus” and “Biotech Industry” as Permitted Uses to match Table IV.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 130 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, in §115-75.10, Line 858, delete “Hotel, motel or motor lodge” as an accessory use because it is already a permitted use in B-3.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 131 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-83.19 (C-3) Line 1124, delete the second “t” in the spelling of “feet”.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 132 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, in §115-83.26 (C – 4 District), at Line 1286, replace Subsection E “The parcel may have a maximum of 20% of its development be duplex, townhouse or multifamily dwellings” with “The parcel may have a maximum of 20% of its developable area consist of duplexes, townhouses, or multifamily dwellings.” Also, delete Note 5 of the Table IV which is inconsistent with this Code Section.

Motion Adopted: 5 Yeas.

**M 132 18
(continued)** **Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
 Mr. Wilson, Yea; Mr. Cole, Yea;
 Mr. Vincent, Yea**

M 133 18 **A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-83.26**
Amend **(C-4 District), at Line 1300-1301, add a phrase “residential and” so that**
Proposed **Section F(2)[c] now states “A tabular summary of percentage of site devoted**
Ordinance **to buildings, open space, streets and parking areas, and total floor area of**
all residential and non-residential structures.”

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
 Mr. Wilson, Yea; Mr. Cole, Yea;
 Mr. Vincent, Yea**

M 134 18 **A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §115-83.28**
Amend **(C-4 District), at Line 1456, to delete “Residential within structure**
Proposed **commercial or office uses” from within “Accessory Uses” section of the**
Ordinance **Code. (This is already listed as a permitted use.)**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
 Mr. Wilson, Yea; Mr. Cole, Yea;
 Mr. Vincent, Yea**

M 135 18 **A Motion was made by Mr. Arlett, seconded by Mr. Burton, in §115-83.41**
Amend **(I District), at Line 1677 and Table IV, to add “Restaurant 7,500 square feet**
Proposed **or less” as a permitted use.**
Ordinance

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
 Mr. Wilson, Yea; Mr. Cole, Yea;
 Mr. Vincent, Yea**

M 136 18 **A Motion was made by Mr. Arlett, seconded by Mr. Wilson, in §§115-75.6B**
Amend **(Line 737), 115-75.13B (Line 901), 115-83.16B (Line 1069), 115-83.23B (Line**
Proposed **1250), 115-83.38B (Line 1635) and 115-83.45B (Line 1787) add the following**
Ordinance **sentence at the end thereof: “There shall be a side yard not less than 20 feet**
in width on the side of the lot adjoining a residential district and there shall
be a rear yard not less than 30 feet in depth on the rear side of a lot
adjoining a residential district.” (This comes from Note 3 on Table 1 of the
County’s current Code.)

Motion Adopted: 5 Yeas.

**M 136 18
(continued)**

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 137 18
Amend
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Burton, add the following sentence to the “Note” at Line 9-10 of Table IV: “In the event of any discrepancy between the information in this Table and the text of Chapter 115, the text of Chapter 115 shall be controlling.”

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 138 18
Establish
Effective
Date for
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Burton, that the “Effective Date” at Section 22, Lines 1963-64, needs to be inserted as July 1, 2018.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**M 139 18
Adopt
Ordinance
No. 2550**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to Adopt Ordinance No. 2550 entitled “AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES I, X, XIA, XX, XXI, XXIII, XXV AND XXVII BY AMENDING SECTIONS 115-4, 115-5, 115-75, 115-83.10, 115-156, 115-195.4, 115-159.5, 115-161.1, 115-170.1, 115-180, 115-194.1, AND 115-218, AND BY CREATING NEW ARTICLES XA, XB, XIB, XIC, XID, XIE, AND XIF AND ADDING NEW SECTIONS 115-75.1 THROUGH 115-75.13 AND 115-83.11 THROUGH 115-83.46 TO CREATE A NEW “B-2 BUSINESS COMMUNITY” DISTRICT; “B-3 BUSINESS RESEARCH” DISTRICT; “C-2 MEDIUM COMMERCIAL” DISTRICT; “C-3 HEAVY COMMERCIAL” DISTRICT; “C-4, PLANNED COMMERCIAL” DISTRICT; “C-5, SERVICE/LIMITED MANUFACTURING” DISTRICT, AND “I-1, INSTITUTIONAL” DISTRICT; TO CLOSE THE CR-1 AND B-1 DISTRICTS; TO AMEND “115 ATTACHMENT 3, SUSSEX COUNTY TABLE III”; TO CREATE “115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV”, as amended.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**Old
Business/
CZ 1831**

Under Old Business, the Council considered Change of Zone No. 1831 filed on behalf of East Gate Farm.

The Planning and Zoning Commission held a Public Hearing on this application on October 26, 2017 at which time action was deferred; on November 16, 2017, the Commission recommended approval.

On November 28, 2017, the Council held a Public Hearing on this application at which time action was deferred.

**M 140 18
Adopt
Proposed
Ordinance**

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to Adopt the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 16.669 ACRES, MORE OR LESS” (Change of Zone No. 1831) filed on behalf of East Gate Farm, Inc.

Denied

Motion Denied: 5 Nays.

**Vote by Roll Call: Mr. Arlett, Nay; Mr. Burton, Nay;
Mr. Wilson, Nay; Mr. Cole, Nay;
Mr. Vincent, Nay**

**Old
Business/
CU 2107**

Under Old Business, the Council considered Conditional Use No. 2107 filed on behalf of Galbraith Development Group.

The Planning and Zoning Commission on November 16, 2017 at which time action was deferred. On December 14, 2017, the Commission recommended approval, with conditions.

The County Council held a Public Hearing on this application on December 12, 2017 at which time the Council deferred action.

**M 141 18
Adopt
Proposed
Ordinance**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to Adopt the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MINI-STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.21 ACRES, MORE OR LESS” (Conditional Use No. 2107) filed on behalf of Galbraith Development Group.

Denied

Motion Denied: 5 Nays.

**Vote by Roll Call: Mr. Arlett, Nay; Mr. Burton, Nay;
Mr. Wilson, Nay; Mr. Cole, Nay;
Mr. Vincent, Nay**

**Old
Business/
CZ 1839**

Under Old Business, the Council considered Change of Zone No. 1839 filed on behalf of Dale Lomas/Seashore Highway Associates, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on December 21, 2017 at which time action was deferred. On January 11, 2018, the Commission recommended denial.

The Council held a Public Hearing on this application on January 23, 2018 at which time action was deferred.

**M 142 18
Adopt
Ordinance
No. 2551/
CZ 1839**

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to Adopt Ordinance No. 2551 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.0 ACRES, MORE OR LESS” (Change of Zone No. 1839) filed on behalf of Dale Lomas/Seashore Highway Associates, LLC.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**Grant
Request**

Mrs. Jennings presented a grant request for the Council’s consideration.

**M 143 18
Council-
manic
Grant**

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$1,500.00 from Mr. Burton’s Councilmanic Grant Account to the Greater Lewes Foundation for parade expenses (Annual St. Patrick’s Day Parade).

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

**Introduction
of Proposed
Ordinances**

Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SITE CONTRACTING EXCAVATING SERVICES - STORAGE REPAIR AND MAINTENANCE – LIGHT MATERIAL AND STORAGE AND GENERAL OFFICE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 13.76 ACRES, MORE OR LESS” (Conditional Use No. 2138) filed on behalf of Walker Construction, Inc..

**Introduction
of Proposed
Ordinances
(continued)**

Mr. Wilson introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY AS A RETIREMENT COMMUNITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 43.748 ACRES, MORE OR LESS” (Conditional Use No. 2123) filed on behalf of Mark Yoder, Jr. (Tax I.D. No. 530-9.00-4.00 & 530-4.00-23.00) (911 Address: 6939 Hickman Road, Greenwood).

The Proposed Ordinances will be advertised for Public Hearing.

**Council
Members’
Comments**

Council Members’ Comments

Mr. Cole raised questions about the process to be followed if a community wants gates at the entrance to their community.

**M 144 18
Adjourn**

A Motion was made by Mr. Cole, seconded by Mr. Burton, to adjourn at 11:16 a.m.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

Respectfully submitted,

**Robin A. Griffith
Clerk of the Council**

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