

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 22, 2025**

**A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 22, 2025, at 10:00 a.m., in Council Chambers, with the following present:**

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

<b>Call to Order</b>	<b>The Invocation and Pledge of Allegiance were led by Mr. Hudson.</b> <b>Mr. Hudson called the meeting to order.</b>
<b>M 316 25 Approve Agenda</b>	<b>A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum, to approve the Agenda as presented.</b> <b>Motion Adopted: 5 Yeas</b> <b>Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Yea; Mr. Hudson, Yea</b>
<b>Minutes</b>	<b>The minutes from July 15, 2025, were approved by consensus.</b>
<b>Correspondence</b>	<b>Mr. Moore reported that letters were received from Make-A-Wish Foundation and the Town of Blades thanking the Council for their donations.</b>
<b>Public Comments</b>	<b>Public comments were heard.</b> <b>Ms. Jennifer August spoke about the effects of pickleball courts.</b> <b>Ms. Alison White spoke about pending land use applications.</b> <b>A caller spoke about the Planning &amp; Zoning Commission.</b>
<b>Administrator's Report</b>	<b>Mr. Lawson read the following information in his Administrator's Report:</b> <b>1. <u>Delaware State Police Activity Report</u></b>

**The Delaware State police year-to-date activity report for June**

**2025 is attached listing the number of violent crime and property crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 194 troopers assigned to Sussex County for the month of June.**

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

**ESRI Agreement**      **Megan Nehrbas, Senior Manager of GIS, presented an enterprise agreement amendment for Council's consideration.**

**M 317 25**  
**Approve**  
**ESRI**  
**Agreement**  
**Amendment**      **A Motion was made by Mr. Rieley, seconded by Mr. Lloyd, that be it moved that Sussex County Council approve the contract addendum to extend the ESRI license agreement for an additional three-year term at a flat rate of \$190,000 per year.**

**Motion Adopted:      5 Yeas**

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

**Inland Bays RWF**      **Hans Medlarz, Project Manager presented an amendment to M&M farm lease and a matching grant from the DE Resiliency fund afforestation for Council's consideration.**

**M 318 25**  
**Approve**  
**M&M Farm**  
**Lease**  
**Amendment**      **A Motion was made by Ms. Gruenebaum, seconded by Mr. McCarron, that it be moved based on the recommendation of the Sussex County Engineering Department that County Council approve the second revision of the farm lease with M&M Farms, LLC and authorize the execution of documents related to Delaware Forest Resiliency Fund grant.**

**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 Solar Lagoon Solar**      **Hans Medlarz, Project Manager, presented a lagoon solar permitting agreement for Wolfe Neck Regional Wastewater Facility for Council's consideration.**

**M 319 25**  
**Approve**  
**Wolfe Neck**  
**Lagoon**      **A Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum, that it be moved based on the recommendation of the Sussex County Engineering Department that the County Council approve the permitting agreement for Blacktail I, II, & III as presented.**

- Solar**                      **Motion Adopted:        5 Yeas**
- Vote by Roll Call:        Ms. Gruenebaum, Yea; Mr. McCarron, Yea;**  
**Mr. Lloyd, Yea; Mr. Rieley, Yea;**  
**Mr. Hudson, Yea**
- Old Business/  
CU2581**                      **Under Old Business, Jamie Whitehouse, Planning & Zoning Director presented a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR STORAGE/WAREHOUSE BUILDINGS AND A CAR WASH TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 24.87 ACRES, MORE OR LESS”.**
- The County Council held a Public Hearing on the application at its meeting on July 15, 2025. At the conclusion of the Public Hearing, action on the application was deferred for further consideration.**
- M 320 25**                      **A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to Amend**  
**Amend**                      **Condition 10D to remove the first sentence “If a unit is used for business**  
**Condition**                      **purposes, that business may only use the area for climate-controlled**  
**10D/CU2581**                      **storage”.**
- Motion Adopted:        5 Yeas**
- Vote by Roll Call:        Ms. Gruenebaum, Yea; Mr. McCarron, Yea;**  
**Mr. Lloyd, Yea; Mr. Rieley, Yea;**  
**Mr. Hudson, Yea**
- M 321 25**                      **A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to Amend**  
**Amend**                      **Condition 10L to read “One lighted or unlighted sign, not to exceed 32**  
**Condition**                      **square feet per side, shall be permitted along Zion Church Road”.**  
**10L/**  
**CU2581**                      **Motion Adopted:        5 Yeas**
- Vote by Roll Call:        Ms. Gruenebaum, Yea; Mr. McCarron, Yea;**  
**Mr. Lloyd, Yea; Mr. Rieley, Yea;**  
**Mr. Hudson, Yea**
- M 322 25**                      **A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to Adopt**  
**Adopt**                      **Ordinance No. 4009 entitled “AN ORDINANCE TO GRANT A**  
**Ordinance**                      **CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL**  
**No. 4009/**                      **RESIDENTIAL DISTRICT FOR STORAGE/WAREHOUSE BUILDINGS**  
**CU2581**                      **AND A CAR WASH TO BE LOCATED ON A CERTAIN PARCEL OF**  
**LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 24.87**  
**ACRES, MORE OR LESS” for the reasons and conditions given by the**  
**Planning & Zoning Commission as follows and as amended by this Council:**

1. This site was previously approved for a similar use, but without

**M 322 25  
Adopt  
Ordinance  
No. 4009/  
CU2581  
(continued)**

- commercial or professional office space, on April 9, 2024, as Conditional Use # 2392. This is a new application for the site, keeping the main uses as indoor storage and warehouses, but adding office space as an accessory to the warehouse and storage uses. This recommendation allows the addition of office space, with limitations.
2. Like the prior Application, the purpose of this application is also to create climate-controlled storage and workspace areas for individuals with boats, recreational vehicles, motorcycles, cars and collectibles including an area for a car wash to serve the many individuals in the area who do not have room within their home and property to store or work on such items. This Application eliminates the pool and clubhouse amenity that was part of the prior application. It also reduces some of the land area included in the prior application.
  3. The site is in the vicinity of several areas that have developed with commercially- and - residentially-zoned properties. This includes property in the area with HR-1 (High Density) Zoning, GR (General Residential) Zoning, AR-1 Zoning and multiple business and commercial Zoning districts. This use is compatible with the surrounding uses and Zoning.
  4. Traffic generated by the proposed use will be minimal and will not have a negative impact on the neighboring properties or roadways. DelDOT has stated that the traffic generated by this use will be “minor.”
  5. The use is of a public or semi-public character that is desirable for the general convenience and welfare of the area and the County.
  6. The property is located in the Coastal and Developing Areas, which are both “Growth Areas” according to the Sussex County Comprehensive Plan. The conditional use is consistent with the Plan’s guidelines for these Areas, since it will provide convenient areas for businesses, homeowners, and property owners in this area of Sussex County.
  7. The site will be served by central water and sewer.
  8. There are wetlands that have been preliminarily delineated on the Property, and a 25-foot buffer is proposed from those wetlands except in two locations, which will be mitigated with approval from the Army Corps of Engineers.
  9. With conditions and limitations required as part of this recommendation, the conditional use will not adversely affect the neighboring and adjacent properties.
  10. This recommendation is subject to the following conditions:
    - a. This conditional use shall be limited to 180,500 square feet of warehouse/storage area, and a 2,500 square foot car wash area. The car wash shall be for the exclusive use of the owners and their families and guests; it shall not be operated commercially or used by people not otherwise affiliated with the primary use of this project. No operations that primarily involve or are similar to the following uses shall be permitted: retail; gyms or fitness centers; breweries or brewpubs; or food service.

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(continued)**

- b. No unit or area within the conditional use shall be used as a dwelling or for housing. No overnight accommodation shall be allowed.
- c. There shall not be any outside storage, including boats, materials, RVs, or equipment, within the site.
- d. The property shall not be used by a business for manufacturing or industrial purposes, and the office space shall not be isolated or walled off from the remainder of each unit. No unit shall be primarily used as an office. In addition, the property may not be used by a business for meeting customers, as a showroom, or as a “mail-drop” or pick up or delivery location for customers.
- e. An oil and fluid recycling and disposal facility shall be provided, and its location shall be shown on the Final Site Plan.
- f. An RV sewer cleanout shall be provided on the property, and its location shall be shown on the Final Site Plan.
- g. All lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.
- h. A fence shall be installed along the perimeter of this project. The location and type of fencing shall be shown on the Final Site Plan.
- i. Any dumpsters must be screened from the view of neighboring properties and roadways. The dumpster locations shall be shown on the Final Site Plan.
- j. The applicant shall comply with all DelDOT requirements for entrance and roadway improvements.
- k. There shall be adequate parking as required by the Code. The parking areas shall be clearly shown on the Final Site Plan and on the site itself. There shall be no parking within the property’s setbacks.
- l. One lighted or unlighted sign, not to exceed 32 square feet per side, shall be permitted along Zion Church Road.
- m. The Applicant shall submit as part of the Final Site Plan a landscape plan showing all “Limits of Disturbance” within the Property. These “Limits of Disturbance” shall be clearly marked on the Property itself.
- n. There shall be an on-site Management Office maintaining the property and the operation of it. It shall be open during regular business hours.
- o. The units shall only have bathrooms with a sink and a toilet. No showers or bathtub- type fixtures or plumbing connections shall be permitted.
- p. Any wetlands will be delineated on the Final Site Plan, and the plan shall also show a 25-foot buffer from those wetlands or a permit from the USACOE for mitigation (fill) in specific locations shown on the Final Site Plan.
- q. The applicant, its successors, and/or assigns, shall cause a condominium association to be formed to be responsible for the maintenance of the roads, parking areas, amenities, stormwater management facilities, and other common areas, and compliance with these conditions, which shall be incorporated into the

- M 322 25**  
**Adopt**  
**Ordinance**  
**No. 4009/**  
**CU2581**  
**(continued)**
- condominium documents.
- r. The Final Site Plan shall include the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
  - s. Any violation of these conditions may be grounds for termination of this conditional use.
  - t. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

**Motion Adopted: 5 Yeas**

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

**Grant**  
**Requests**

**Mrs. Jennings presented grant requests for Council's consideration.**

**M 323 25**  
**Town of**  
**Bridgeville**

**A Motion was made by Mr. McCarron, seconded by Mr. Rieley to give \$1,000 (\$1,000 from Mr. McCarron's Councilmanic Grant Account) to the Town of Bridgeville for their police department's back to school bash.**

**Motion Adopted: 5 Yeas**

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

**M 324 25**  
**American**  
**Youth**  
**Football,**  
**Inc.**

**A Motion was made by Mr. McCarron, seconded by Mr. Rieley to give \$1,000 (\$1,000 from Mr. McCarron's Councilmanic Grant Account) to American Youth Football, Inc. for the Woodbridge AYF 2025 season.**

**Motion Adopted: 5 Yeas**

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

**M 325 25**  
**Ocean View**  
**Historical**  
**Society**

**A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$1,000 (\$1,000 from Mr. Hudson's Councilmanic Grant Account) to the Ocean View Historical Society for restoration efforts for their historical village.**

**Motion Adopted: 5 Yeas**

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

**M 326 25**

**A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$4,000**

**Delaware Botanic Gardens** (\$2,500 from Mr. Hudson's Councilmanic Grant Account, \$1,000 from Mr. Rieley's Councilmanic Grant Account and \$500 from Ms. Gruenebaum's Councilmanic Grant Account) to Delaware Botanic Gardens for their 2025 annual fundraising dinner.

**Motion Adopted:** 5 Yeas

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

**Proposed Ordinances Introductions** Mr. Lloyd introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BORROW PIT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 30 ACRES, MORE OR LESS" filed on behalf of S&J Growers.

Mr. Lloyd introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MASONRY BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.37 ACRES, MORE OR LESS" filed on behalf of Richard & Brandi Gentner, Jr.

Mr. Hudson introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT TO AMEND CONDITIONAL USE NO. 677 TO ALLOW FOR TWO (2) ADDITIONAL LOTS INTO THE RIVERWINDS (F.K.A. OAK ORCHARD WEST) MANUFACTURED HOME PARK TO BE LOCATED ON A 0.37 ACRE PORTION, MORE OR LESS, OF A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 35 ACRES MORE OR LESS" filed on behalf of The Crossings at Oak Orchard.

Ms. Gruenebaum introduced a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN INDEPENDENT CARE FACILITY, RESTAURANT AND FITNESS CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 4.833 ACRES, MORE OR LESS" filed on behalf of LIC Housing, LLC.

The Proposed Ordinances will be advertised for a Public Hearing.

**CM Comments** There were no Council Member comments.

**M 327 25 Go Into** At 10:45 a.m., a Motion was made by Mr. Rieley, seconded by Mr. McCarron to enter into an Executive Session for the purpose of discussing

**Executive Session**

**matters related to land acquisition.**

**Motion Adopted: 5 Yeas**

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

**Executive Session**

**At 10:52 a.m., an Executive Session was held in the Basement Caucus Room to discuss matters related to land acquisition. The Executive Session concluded at 11:42 a.m.**

**M 328 25 Reconvene**

**At 11:48 a.m., a Motion was made by Mr. McCarron seconded by Ms. Gruenebaum to come out of the Executive Session and go back into the Regular Session.**

**Motion Adopted: 5 Yeas**

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

**E/S Action**

**There was no action related to Executive Session matters.**

**M 329 25 Adjourn**

**A Motion was made by Mr. Lloyd, seconded by Mr. McCarron to adjourn at 11:48 a.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.}***