

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 25, 2026

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, August 25, 2026, at 10:00 a.m., in Council Chambers, with the following present:

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 Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

Call to Order	The Invocation and Pledge of Allegiance were led by Mr. Hudson. Mr. Hudson called the meeting to order.
M 374 26 Approve Agenda	A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, to approve the Agenda, 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
Minutes	The minutes from August 11, 2026, were approved by consensus.
Corre-Spondence	Mr. Moore reported that correspondence was received from the Francois Foundation for Autism thanking Council for their support.
Public Comments	Public comments were heard. Ms. Trudy Kruger spoke about farming in Sussex County. Mr. Greg Kordell spoke about proposed forest preservation Ordinance. Mr. Kirk Shively spoke about a sewer project near his residence.
Recognition	Lars T. Granholm was recognized for his retirement.
Adminis-trator's Report	Mr. Lawson read the following information in his Administrator's Report: 1. <u>Projects Receiving Substantial Completion</u>

**Adminis-
trator's
Report
(continued)**

Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Sundance Club (FKA Evans Farm Apartments) – Phase 1 – (Construction Record) effective August 10th; Cypress Landing (Plan Review & Construction Record) effective August 19th; Black Oak (FKA Glenwood) – Phase 4 and Black Oak (FKA Glenwood) – Phase 5 effective August 20th.

2. FY 2027 Human Service Grant Program

Applications for the Fiscal Year 2027 Human Service Grant Program are now being accepted. The Human Service Grant Program provides grants to county-wide nonprofit agencies for the purpose of enhancing health and human services which contribute to a safe, healthy, and self-sufficient community. Funds provide grants that assist organizations with resources in support of programs or capital purchases.

To be eligible for a grant, organizations must fill out an application which is available on the County's website at www.sussexcountydela.gov.

The deadline to submit grant requests is Wednesday, September 30th.

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

Ext Request 2022-18 **Jamie Whitehouse, Planning & Zoning Director presented a request for an extension for 2022-18 Wilhaven (F.K.A. Wil King Station) application.**

M 375 26
Approve
Time Ext
Request
2022-18 **A Motion was made by Mr. Lloyd, seconded by Mr. Rieley, that be it moved that Sussex County Council approve a 6-month time extension request from August 24, 2026.**

Motion Adopted: 5 Yeas

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

Taxiway B
CO Nos. 1,
2, 3 **Bob Bryant, Airport Manager, presented change order nos. 1, 2 & 3 for construct parallel taxiway B for Council's consideration.**

M 376 26
Approve CO **A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, be it moved based upon the recommendation of the Sussex County Engineering Department, that Sussex County Council approve change order no 1, fiber**

**No. 1/
Taxiway B** **optic in the amount of \$18,980.76 for work associated with construction phase of construction of construct parallel taxiway B bid package b project.**

Motion Adopted: 5 Yeas

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

**M 377 26
Approve CO
No. 2/
Taxiway B** **A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, be it moved based upon the recommendation of the Sussex County Engineering Department, that Sussex County Council approve change order no. 2, pull back for the respective unit rates associated with non-productive pull back work at \$1,296.96 per hour Allen Myers and \$525.26 per hour BW Electric and the total non-productive work hours to be rectified at conclusion of the project.**

Motion Adopted: 5 Yeas

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

**M 378 26
Approve CO
No. 3/
Taxiway B** **A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, be it moved based upon the recommendation of the Sussex County Engineering Department, that Sussex County Council approve change order no. 3, base cans in the credited amount of \$1,950.00 for work associated with construction phase of construct parallel taxiway B bid package b project.**

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/
CU2480** **Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO TIRE CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.0 ACRE, MORE OR LESS” (property is lying on the east side of Downs Road [S.C.R. 243], approximately 0.45 mile northeast of Wilson Road [S.C.R. 244]) (911 Address: 18651 Downs Road, Georgetown) (Tax Map Parcel: 135-9.00-280.00) filed on behalf of DJ Tire Center, LLC.**

The County Council held a public hearing on April 21, 2026 and then deferred action for further consideration.

**M 379 26
Approve
CU2480/
DENIED**

A Motion was made by Mr. Rieley, seconded by Mr. McCarron to approve a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO TIRE CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.0 ACRE, MORE OR LESS”.

Motion DENIED: 5 Nays

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

**Old
Business/
CU2424**

Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS (6 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.61 ACRES, MORE OR LESS” (property is lying on the east side of Coastal Highway [Route 1], approximately 278 feet north of Jefferson Bridge Rd [S.C.R. 361-A]) (911 Address: N/A) (Tax Map Parcel: 134-17.07-190.00) filed on behalf of Oceans Six.

The Planning & Zoning Commission held a Public Hearing on the application on March 4, 2026. At the meeting of March 18, 2026, the Planning & Zoning Commission recommended approval of the application for the 10 reasons stated within the motion and subject to the 10 recommended conditions of approval as outlined.

**M 380 26
Adopt
Ordinance
No. 4082/
CU2424**

A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum to Adopt Ordinance No. 4082 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLINGS (6 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.61 ACRES, MORE OR LESS” for the reasons and conditions given by the Planning & Zoning Commission as follows:

- 1. This application seeks the approval of six (6) multi-family structures on approximately 0.61-acres of land.**
- 2. Six (6) new multifamily units in this location will not overburden this property and will be similar to the other multifamily and townhouse developments and densities around this site. It is one of the last vacant properties in this area and it is reasonable to allow it to be developed in a similar way to its surroundings. This is an appropriate location for a small multifamily residential**

M 380 26
Adopt
Ordinance
No. 4082/
CU2424
(continued)

- development.
3. This site was the subject of two prior approved conditional uses in 2003 and 2009 for the same multi-family use, with the only difference being the number of units. In the prior applications 7 units were approved while this application seeks approval for only 6 units.
 4. This site is between the Towns of Bethany Beach and South Bethany. It is surrounded by properties that are zoned B-1, HR-2, and C-1 and it has frontage on Route 1. In addition to fairly intensive commercial uses, there are the high-density residential developments of Sea Colony and Sea Pines Village close by. This development is appropriately located within this mixture of zoning districts and uses.
 5. The site is in the Coastal Area according to the Sussex County Comprehensive Plan. This type of development is appropriate in this Area according to the Plan, which states that “a range of housing types” are acceptable here, including medium and high densities when a site is served by central water and sewer, where the use is in keeping with the character of the area and other similar factors. These types of considerations exist with regard to this site.
 6. The proposed development will not have an adverse impact on the neighboring properties or community.
 7. DelDOT has stated that the development will have a “Diminutive” impact upon area roadways. The proposed development will not have an adverse impact upon traffic or roadways.
 8. The development will be served by central sewer provided by Sussex County.
 9. The development will be served by central water.
 10. No parties appeared in opposition to this application.
 11. This recommendation is subject to the following conditions:
 - a. The maximum number of residential units shall be six (6).
 - b. The developer and then a condominium shall be responsible for the perpetual maintenance of the project’s stormwater management facilities, erosion and sedimentation control facilities, roadways and other common areas.
 - c. All entrance, intersection, roadway and multi-modal improvements shall be completed by the developer as required by DelDOT.
 - d. Any dumpsters on the Property are to be screened from the view of neighboring properties and roadways. The dumpster locations shall be shown on the Final Site Plan.
 - e. The project shall be served by Sussex County sewer. The developer shall comply with all Sussex County Engineering Department requirements including any offsite upgrades necessary to provide service to the project.
 - f. The project shall be served by central water to provide drinking water and fire protection.
 - g. Construction activities, including site work and deliveries, shall only occur between 7:00 a.m. and 6:00 p.m. Monday through

**M 380 26
Adopt
Ordinance
No. 4082/
CU2424
(continued)**

Saturday. There shall be no construction activities at the site on Sundays. A 24 inch by 36 inch “NOTICE” sign in English and Spanish confirming these hours shall be prominently displayed at all entrances to the site during construction.

- h. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities. The system shall be designed and maintained using best management practices.**
- i. The Final Site Plan shall include a Grading Plan for the site. No building permits shall be issued until an individual lot grading plan has been supplied to and approved by Sussex County. No certificate of occupancy shall be issued until a grading certificate is submitted to the Building Code Department demonstrating general conformity with the individual site grading plan.**
- j. 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**

**Old
Business/
Forest
Preservation**

Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 99, ARTICLE I, III AND V §99-5 “DEFINITIONS”, §99-21A “PERIMETER BUFFERS” AND §99-26 “INFORMATION TO BE SHOWN” AND CHAPTER 115, ARTICLES I, XXV AND XXVIII §115-4 “DEFINITIONS AND WORD USAGE” AND §115-221 “FINAL SITE PLAN REQUIREMENTS” AND BY ADDING NEW §§115-194.8 “FOREST PRESERVATION” AND 115-194.9 “TREE PLANTING REQUIREMENTS”.

Mr. Lawson, Mr. Whitehouse and Mr. Robertson reviewed potential changes to be incorporated into the Ordinance based on feedback that has been received.

**Grant
Requests**

Mrs. Jennings presented grant requests for Council’s consideration.

**M 381 26
Historical
Georgetown
Association**

A Motion was made by Mr. Rieley, seconded by Mr. McCarron to give \$1,000 (\$1,000 from Mr. Rieley’s Councilmanic Grant Account) to Historical Georgetown Association for security camera installation for the train museum & first firehouse.

Motion Adopted: 5 Yeas

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

Mr. Hudson, Yea

M 382 26 **A Motion was made by Ms. Gruenebaum, seconded by Mr. Rieley to give**
Ocean **\$2,000 (\$1,000 from Ms. Gruenebaum's Councilmanic Grant Account, \$500**
Waves Quilt **from Mr. Rieley's Councilmanic Grant Account and \$500 from Mr.**
Guild **McCarron's Councilmanic Grant Account) to Ocean Waves Quilt Guild for**
 their Ocean of Quilts program.

Motion Adopted: 5 Yeas

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

M 383 26 **A Motion was made by Mr. Rieley, seconded by Mr. McCarron to give**
American **\$1,500 (\$300 from each Members' Councilmanic Grant Account) to**
Cancer **American Cancer Society for their Relay for Life event.**
Society

Motion Adopted: 5 Yeas

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

Proposed **Mr. Lloyd introduced a Proposed Ordinance entitled "AN ORDINANCE**
Ordinance **TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1**
Introduction **AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS**
 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND
 BEING IN SUSSEX COUNTY, CONTAINING 28.64 ACRES, MORE OR
 LESS" filed on behalf of Lonesome Road Community Energy Initiative,
 LLC.

Mr. Lloyd introduced a Proposed Ordinance entitled "AN ORDINANCE
TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1
AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS
TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND
BEING IN SUSSEX COUNTY, CONTAINING 39.281 ACRES, MORE OR
LESS" filed on behalf of Woodpecker Road Community Energy Initiative,
LLC.

Mr. McCarron introduced a Proposed Ordinance entitled "AN
ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-
1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS
TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND
BEING IN SUSSEX COUNTY, CONTAINING 31.3 ACRES, MORE OR
LESS" filed on behalf of TPE DE SU519, LLC.

Mr. Lloyd introduced a Proposed Ordinance entitled "AN ORDINANCE

Proposed Ordinance Introduction (continued) **TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 47.20 ACRES, MORE OR LESS” filed on behalf of Sunrise Solar, Inc.**

Mr. Lloyd introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SOLAR ARRAYS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 52.34 ACRES, MORE OR LESS” filed on behalf of Sussex CSG 3, LLC.

CM Comments **Mr. McCarron commented about the number of solar projects and the previous comment regarding the concerns from the agricultural industry related to growth.**

Mr. Lloyd commented about farmland that is lost and balance that is needed for the need for housing and property owners’ rights.

Ms. Gruenebaum commented about the comments on the land use docket and the need for infrastructure when development occurs. She added that she shares the same concerns of the previous two Council Members’.

Mr. Rieley commented about the proposed forest preservation Ordinance and finding the balance for the property owners.

M 384 26 Go Into Executive Session **At 11:40 a.m., a Motion was made by Mr. McCarron, seconded by Mr. Lloyd to go into Executive Session to discuss matters related to pending & potential litigation and personnel.**

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 11:47 a.m., an Executive Session was held in the Basement Caucus Room to discuss matters related to pending & potential litigation & personnel. The Executive Session ended at 12:47 p.m.**

M 385 26 Reconvene **At 12:50 p.m., a Motion was made by Mr. McCarron, seconded by Ms. Gruenebaum to come out of Executive Session and back into Regular Session.**

Motion Adopted: 3 Yeas, 2 Absent

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

**Mr. Lloyd, Absent; Mr. Rieley, Absent;
Mr. Hudson, Yea**

E/S Action There was no action related to Executive Session matters.

**M 386 26 A Motion was made by Ms. Gruenebaum, seconded by Mr. McCarron to
Recess recess until 1:30 p.m. Public Hearings.**

Motion Adopted: 3 Yeas, 2 Absent

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

**M 387 26 A Motion was made by Ms. Gruenebaum, seconded by Mr. Rieley to
Reconvene reconvene.**

Motion Adopted: 4 Yeas, 1 Absent

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

Rules Mr. Moore read the rules of procedure for zoning hearings.

**Public A Public Hearing was held on Proposed Ordinance entitled “AN
Hearing/
CU2485 ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-
1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FENCE
INSTALLATION BUSINESS WITH OUTSIDE STORAGE TO BE
LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN
SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS”
(property is and lying on the east side of Rust Road [S.C.R. 292A],
approximately 0.27 mile south of Harbeson Road [Rt. 5]) (911 Address:
20601 Rust Road, Harbeson) (Tax Map Parcel: 234-4.00-10.32) filed on
behalf of Christopher Hanvok.**

Jamie Whitehouse, Planning & Zoning Director, presented the application.

**The Planning & Zoning Commission held a Public Hearing on the
application on February 4, 2026. At the meeting of February 18, 2026, the
Planning & Zoning Commission recommended denial of the application for
the 7 reasons stated.**

**The Council found that Mr. Christopher and Jeannie Hanyok spoke on
behalf of their application. Mr. Hanyok stated he is currently running a
business from the property; that he currently keeps materials on the site for
various commercial jobs; that 90% of the materials are taken directly to job
sites; that he submitted pictures showing where he stores materials in the**

**Public
Hearing/
CU2485
(continued)**

front and back of their pole building; that he has a food plot for deer that come into the lot every day; that there are a few gates that are made inside the pole building; that a privacy fence has been started on the side of the property; that pictures were submitted showing the neighboring property's fill dirt pile; that pictures were shown of someone cutting grass that bring a lot of dust; that they want to be good neighbors; that they mainly do computer work including estimates at the property; that pictures were provided showing materials being delivered to job site as well as a statement from a contractor confirming materials were delivered to the site; that he has been in business since 2021; that prior to owning this property, he leased a property; that they purchased this property because it had a conditional use already issued; that this reduced their expenses by purchasing the property; that most of the time there are locations on the job site to store the materials; that they store some materials on site but mostly for residential projects; that they have tried to reduce the amount of times tractor trailers come to their property; that they are going to reduce what is kept outside; that they will do everything that they can to continue on a low scale

A discussion was held about the materials that were stored on the property as requested by DelDOT for the Georgetown bike trail.

Public comments were heard.

Mr. Donald Downs spoke in favor of the application.

Mr. Eric Rieley spoke in favor of the application.

Mr. Mark Wyatt spoke in favor of the application.

Mr. Constantin Albu spoke in opposition of the application.

Ms. Nancy Zalick spoke in opposition of the application.

The Public Hearing and public record were closed.

**M 388 26
Defer
Action/
CU2485**

A Motion was made by Mr. Rieley, seconded by Mr. McCarron to defer action on a Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A FENCE INSTALLATION BUSINESS WITH OUTSIDE STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.00 ACRES, MORE OR LESS"

Motion Adopted: 5 Yeas

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

M 389 26
Adjourn

Mr. Hudson, Yea
A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to adjourn at 2:16 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.}