

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, SEPTEMBER 16, 2014

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, September 16, 2014, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
Samuel R. Wilson, Jr.	Vice President
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
Vance Phillips	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 428 14
Approve
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to approve the Agenda, as posted.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of September 9, 2014, were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**RICK MICKOWSKI, CHAIRMAN, DELAWARE ENVIROTHON, C/O
DELAWARE ASSOCIATION OF CONSERVATION DISTRICTS,
DOVER, DELAWARE.**

RE: Letter in appreciation of donation.

Mrs. Deaver stated she received a letter from Janet Godshall (Millsboro, Delaware) expressing concern with regard to roadside vendor regulations.

**Employee
of the
Quarter**

The Council recognized Alan Scott Baker, Employee of the Third Quarter. Mr. Baker is an employee in the Department of Environmental Services, Dewey Beach Water District.

DelDOT

Mr. Lawson presented to Council the DelDOT 2016-2021 Capital

**2016-2021
CTP
Request**

Transportation Program (CTP) Request. This report highlights the County's long-term infrastructure needs and requests for the State's next capital budget which focuses on major investments such as highways, bridges, and intersection improvements throughout the State.

Mr. Lawson stated that, as done in past years, County Administration, along with input from Council and the public, has assembled this year's request. Particular emphasis has been placed on a variety of improvements including pedestrian and bicycle safety enhancements on SR 1, upgrades to the County's east-west corridors, and the Runway Expansion Project at the Sussex County Airport.

Chip Guy, Communications Director, reviewed the CTP, noting that this year's request is much the same as last year due to funding limitations that have precluded DelDOT from addressing many of the prior requests that have been put forth. Sussex County's transportation priorities are: SR 1 improvements; Sussex County Airport, Park Avenue/US 9 Truck Route; east-west improvements (SR 24, SR 26, Routes 404/9); bicycling/walking trails; north-south highway improvements; local roads; intersections, signage and signalization; and alternative transportation.

Mr. Cole voiced concern regarding pedestrian safety along major corridors in the resort communities and requested that verbiage be included in the County's CTP Request asking the State to evaluate pedestrian right-of-way laws, particularly in high-traffic corridors where speeds exceed 25 miles per hour.

The Sussex County 2016-2021 Capital Transportation Program Request (revised as noted above) will be presented at a Public Workshop on September 25, 2014, from 4:00 to 7:00 p.m. at the DelDOT South District Office in Georgetown.

**Route 1
CPP**

Mrs. Deaver requested a report on the Route 1 Corridor Preservation Program at some point in the future.

**Adminis-
trator's
Report**

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

1. Sussex County Annual Property Taxes Due September 30th

Property owners are reminded to pay their annual County property tax bill by Tuesday, September 30th. Payments can be made online, in person, by phone, or by mail. Any payments mailed must be postmarked no later than September 30th or thereafter be subject to a penalty.

**Adminis-
trator's**

This year's tax bills once again feature an easier-to-read format, unveiled in 2013, to help taxpayers better understand their bills and

Report
(continued)

payment options. For more information, please visit the County's website at sussexcountyde.gov.

2. Sussex County Homebuyer Fair

The County, in partnership with the Delaware State Housing Authority, Sussex County Association of REALTORS®, First State Community Action Agency, and NCALL Research, Inc., will host the inaugural Sussex County Homebuyer Fair on Saturday, September 27th. Attendees will receive free credit reports and mini counseling sessions with HUD-approved housing counselors. There will also be exhibitors on-site to share their programs, services, and resources pertaining to home ownership. The event is from 9:00 a.m. to 1:00 p.m. at Delaware Technical & Community College in Georgetown. Visit the County's website to pre-register.

Public
Hearing/
Redden
Ridge
Annexation/
WRE of
DBSSD

At 10:30 a.m., a Public Hearing was held to consider the expansion of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District to include five parcels of land situated along Old Landing Road and Warrington Road, southwest of the City of Rehoboth Beach (Redden Ridge Annexation).

Rob Davis, Senior Planner, Utility Planning Division, explained that the parcels being proposed to be annexed into the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District include the proposed Redden Ridge Subdivision and four additional parcels along Old Landing Road and Warrington Road. A written request was received from the developer of the proposed Redden Ridge Subdivision for annexation. The parcel adjoins the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. The owner of the property wishes to begin the development planning process for single-family homes on the parcel. The developer will be responsible for system connection charges in the amount of \$5,500 per EDU based on current rates. The developer will also be responsible for extending sewer lines to the property lines of two of four additional parcels to be annexed, provide a pump station site, several pipeline easements, and contribute to future system upgrades.

Public comments were heard from George Madison, Paul Struweg, and R. Wayne Battaglini. Concerns were expressed as to the easement location and the cost associated with sewer hook-ups by individual property owners.

It was the consensus of Council that Mr. Davis meet with the developer of the proposed Redden Ridge Subdivision to discuss revision of the easement location to provide a more cost-effective means and allow for easier access for individual parcel hook-ups to occur.

M 429 14
Leave
Record

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to leave the Public Hearing record open for one week (until September 23, 2014) on the Redden Ridge Annexation of the West Rehoboth Expansion of the Dewey

Open/ Redden Ridge Annexation/ WRE of DBSSD **Beach Sanitary Sewer District to allow for additional comment.**

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea

M 430 14 Defer Action/ Redden Ridge Annexation/ WRE of DBSSD **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to defer action for one week (until September 23, 2014) on the Redden Ridge Annexation of the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.**

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Phillips, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea

Wetland Advisory Committee Update **Hal Godwin, Deputy County Administrator, submitted to Council the Delaware Wetland Advisory Committee Draft Final Report dated September 2014. Mr. Godwin advised that the Wetland Advisory Committee will be meeting again on September 23, 2014, for additional comments prior to sending the report to the Department of Natural Resources and Environmental Control, and ultimately on to the General Assembly and Governor for approval.**

Mr. Cole requested that Mr. Godwin provide Council a synopsis of the contents of the Draft Final Report and that the Report be placed on the September 23, 2014, Council Agenda for discussion.

Presenta-tion/ Nanticoke Heritage Byway Project **Dan Parsons, Historic Preservation Planner, was present to update Council on the status of the Nanticoke Heritage Byway Project along with Ann Gravatt, Delaware Byways Coordinator, and Andy Nicol of TranSystems, the management plan consultant. Mr. Parsons took the opportunity to recognize members of the Steering Committee who were in the audience and have been very involved in the Nanticoke Heritage Byway Project.**

Andy Nicol reviewed a PowerPoint presentation on the Nanticoke Heritage Byway, beginning with a little background information. Mr. Nicol stated that the National Scenic Byways Program, founded in 1990, is a grass-roots collaborative effort established to recognize, preserve, and enhance selected roads throughout the United States. Designations are based on archaeological, cultural, historic, natural, recreational, and scenic qualities.

Presenta-tion/ Nanticoke Heritage **The Delaware Byways Program established in 2000 consists of six State Designated Byways as follows: Brandywine Byway, Red Clay Byway, Delaware Bayshore, Harriet Tubman Underground Railroad Byway, Lewes Byway, and the Nanticoke Heritage Byway. The 39.8-mile Nanticoke**

**Byway
Project
(continued)**

Heritage Byway extends from the Hearn & Rawlins Mill in the north to Trap Pond State Park in the south. Spanning nearly 40 miles through Sussex County, the Nanticoke Heritage Byway features outdoor recreational activities, museums and educational centers, historic landmarks, and scenic vistas. Mr. Nicol noted that a Scenic Byway designation not only protects community character and provides economic opportunities, it allows for both State and nationally designated byways to be eligible to compete for Federal grant funds.

In accordance with Federal and State regulations, Mr. Nicol advised that designation of a Scenic Byway requires the development of a Corridor Management Plan (CMP). The CMP addresses the long-term objectives and management of a Scenic Byway and ensures that the visions and goals of the byway are met and sustained. Mr. Nicol stated that the kick-off meeting of the Steering Committee was held in August 2013, and since that time Committee meetings and workshops have been held to develop the Nanticoke Heritage Byway CMP, which is 80 percent complete. Long-term and short-term action items have been established, with ongoing efforts to focus on the conservation, protection, and preservation of the region's waterways, and to continue to coordinate and develop strong partnerships.

Mr. Phillips questioned the effect of a Scenic Byway designation on property owner rights. Mr. Parsons advised that the Byway itself does not infringe on property rights, except for the signage issue stipulating no billboards along the route. Mr. Phillips stated that reference in the CMP indicating no infringement on property rights, excluding signage, would be beneficial.

Mr. Wilson inquired if any members of the Steering Committee are farmers. Although the Committee consists of a very diverse group, Mr. Parsons stated there are no farmers on the Steering Committee; however, farmer representation is welcome.

**Grant
Requests**

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

**M 431 14
Council-
manic
Grant**

A Motion was made by Mr. Wilson, seconded by Mr. Cole, to give \$1,000.00 (\$650.00 from Mr. Wilson's Councilmanic Grant Account, \$250.00 from Mr. Vincent's Councilmanic Grant Account, and \$100.00 from Mr. Phillips' Councilmanic Grant Account) to Primeros Pasos for pre-school program operating costs.

Motion Adopted: 5 Yeas.

**M 431 14
(continued)**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 432 14
Council-**

A Motion was made by Mr. Wilson, seconded by Mr. Cole, to give \$750.00 from Mr. Wilson's Councilmanic Grant Account to Everlasting Hope

**manic
Grant**

Ministries for their annual drug march and rally.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 433 14
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$500.00 from Mr. Cole’s Councilmanic Grant Account to Del-Mar-Va Council, Boy Scouts of America, for Cub Scout Pack 5 for program expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 434 14
Council-
manic
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to give \$500.00 from Mrs. Deaver’s Councilmanic Grant Account to Calvary Pentecostal Church for community outreach programs for children.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Introduction
of Proposed
Ordinance**

Mr. Phillips introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL STORE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 32,829 SQUARE FEET, MORE OR LESS” (Conditional Use No. 2003) filed on behalf of Thomas E. Lowe (Tax I.D. #134-14.00-6.00, part of) (911 Address: 31854 James Lowe Road, Frankford). The Proposed Ordinance will be advertised for Public Hearing.

**M 435 14
Recess/
Go Into
Executive
Session
M 435 14
(continued)**

At 11:25 a.m., a Motion was made by Mr. Wilson, seconded by Mr. Cole, to recess the Regular Session and go into Executive Session for the purpose of discussing job applicants’ qualifications, personnel, and land acquisition.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Yea; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Executive
Session**

At 11:42 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of holding a job applicant

interview and discussing issues relating to land acquisition. The Executive Session concluded at 1:25 p.m.

[Mr. Phillips was not present for the afternoon session.]

M 436 14 **At 1:38 p.m., a Motion was made by Mr. Wilson, seconded by Mrs. Deaver, Reconvene** **to come out of Executive Session and reconvene the Regular Session.**

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea

Action **There was no action on Executive Session matters.**

Additional **Under Additional Business, Dan Kramer commented on Councilmanic Business** **Grant funding.**

Rules **Mr. Moore reviewed the rules of procedure for Public Hearings.**

Public **A Public Hearing was held on the Proposed Ordinance entitled “AN Hearing/**
C/U **ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1**
No. 1989 **AGRICULTURAL RESIDENTIAL DISTRICT FOR A SMALL ENGINE**
AND LAWN MOWER REPAIR SHOP TO BE LOCATED ON A CERTAIN
PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED,
SUSSEX COUNTY, CONTAINING 42,961 SQUARE FEET, MORE OR
LESS” (Tax Map I.D. No. 133-16.00-73.03) (Conditional Use No. 1989) filed
on behalf of Bruce Sentman, Jr.

The Planning and Zoning Commission held a Public Hearing on this application on July 10, 2014, at which time action was deferred. On July 24, 2014, the Commission recommended that the application be approved with the following conditions:

- A. The use shall be limited to the repair of small engines, generators and lawn mowers. No automobiles, boats, trucks, or other similar vehicles shall be repaired on the site as part of the Applicant’s business.**
- B. The hours of operation for the business shall be Monday through Friday from 5:30 p.m. until 9:00 p.m. and Saturdays from 8:00 a.m. to 5:00 p.m.**
- C. The business shall not have any employees aside from the Applicant and his family.**
- D. No repair work shall be performed outside, except for limited testing of the engines.**
- E. There shall not be any retail sales of lawn mowers, small engines or similar equipment.**
- F. All waste oils and similar fluids shall be disposed of properly or taken**

Public
Hearing/
C/U
No. 1989
(continued)

- to the appropriate State Recycling Center.
- G. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
- H. Any dumpster on the site shall be screened from view of neighboring properties and roadways.
- I. Any security lights associated with the Conditional Use shall be downward screened so that they do not shine on neighboring properties or roadways.
- J. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

(See the minutes of the Planning and Zoning Commission on July 10 and July 24, 2014.)

Shane Abbott, Assistant Director of Planning and Zoning, read a summary of the Commission's Public Hearing.

The Council found that Bruce Sentman, Jr., was present and stated that he lives on the property; that he plans on being open for business Monday through Friday after 5:30 p.m. and on Saturday from 8:00 a.m. to 5:00 p.m.; that the only repair work that will be performed outside will be testing the engines; that he has no intent to get into lawn mower sales; that he will be working on small engines, lawn equipment, and generators; and that he purchased the lot from Richard Smith and advised Mr. Smith of his intent.

There were no public comments and the Public Hearing and public record were closed.

M 437 14
Amend
Conditions
for C/U
No. 1989

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to amend Condition B recommended by the Planning and Zoning Commission to read as follows: No outside repair work after 9:00 p.m. No Sunday hours.

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 438 14
Amend
Conditions
for C/U
No. 1989

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to amend Condition E recommended by the Planning and Zoning Commission to read as follows: There shall not be any retail sales.

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;

Mr. Vincent, Yea

**M 439 14
Adopt
Ordinance
No. 2364/
C/U
No. 1989**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to Adopt Ordinance No. 2364 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SMALL ENGINE AND LAWN MOWER REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 42,961 SQUARE FEET, MORE OR LESS” (Tax Map I.D. No. 133-16.00-73.03) (Conditional Use No. 1989) filed on behalf of Bruce Sentman, Jr., with the following conditions:

- A. The use shall be limited to the repair of small engines, generators, and lawn mowers. No automobiles, boats, trucks, or other similar vehicles shall be repaired on the site as part of the Applicant’s business.**
- B. No outside repair work after 9:00 p.m. No Sunday hours.**
- C. The business shall not have any employees aside from the Applicant and his family.**
- D. No repair work shall be performed outside, except for limited testing of the engines.**
- E. There shall not be any retail sales.**
- F. All waste oils and similar fluids shall be disposed of properly or taken to the appropriate State Recycling Center.**
- G. One lighted sign, not to exceed 32 square feet per side, shall be permitted.**
- H. Any dumpster on the site shall be screened from view of neighboring properties and roadways.**
- I. Any security lights associated with the Conditional Use shall be downward screened so that they do not shine on neighboring properties or roadways.**
- J. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
C/U
No. 1990**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A NURSERY AND LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 5.436 ACRES, MORE OR LESS” (Tax Map I.D. 133-5.00-26.00) (Conditional Use No. 1990) filed on behalf of Olsen Enterprises, Inc.

The Planning and Zoning Commission held a Public Hearing on this application on July 10, 2014, at which time action was deferred. On July 24, 2014, the Commission recommended that the application be approved with the following conditions:

- A. The Final Site Plan shall specifically show all areas for existing and proposed greenhouses and nursery stock, as well as vehicle and truck parking. It shall also show existing and proposed storage containers on the site. Those storage containers shall be screened from view of neighboring properties.**
- B. All materials and equipment storage shall be within the existing pole building.**
- C. One lighted sign, not to exceed 6 square feet per side, shall be permitted.**
- D. The Applicant has proposed to extensively landscape the property. The Final Site Plan shall contain a proposed landscaping plan for the site.**
- E. The Applicant shall confirm on the Final Site Plan whether the ditch on the property is a Tax Ditch. If it is a Tax Ditch, all Tax Ditch Easements shall be shown on the Final Site Plan.**
- F. The hours of operation for the business shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday.**
- G. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated July 10 and July 24, 2014.)

Shane Abbott, Assistant Director of Planning and Zoning, read a summary of the Commission's Public Hearing.

Mr. Abbott distributed Exhibit Books that were previously provided by the Applicant.

The Council found that Patrick Olsen was present with Dennis Schrader, Attorney, and stated that Mr. Olsen lives on the premises and proposes to operate a landscaping business with future greenhouses and nursery stock; that the site was previously used for a beauty shop; that the use is compatible with other agricultural uses in the area; that the State Strategies reference that this site is located in an Investment Level 4 area which supports agricultural uses; that an on-site mound septic system and on-site well already exist; that a new DeDOT entrance is proposed to serve the business; that it is not clear if the ditch on the property is a Tax Ditch; that Mr. Olsen has been in this type of business since 2008; that the company provides contracting services in Delaware and Maryland, and provides full service for landscaping, hardscaping, and irrigation; that Mr. Olsen normally employs 8 to 12 employees, but less in the winter months; that their season runs from April through November; that they do some snow removal in the winter months; that material and equipment storage will be

**Public
Hearing/
C/U
No. 1990
(continued)**

in the pole building; that the entire area around the pole building is planned for landscape screening; that two dumpsters are maintained on-site for the disposal of trash; that there are existing storage containers on the site; and that Mr. Olsen hopes to start a nursery stock area in front of the pond to benefit his business and the appearance of the property.

There were no public comments and the Public Hearing and public record were closed.

**M 440 14
Amend
Conditions
for C/U
No. 1990**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to amend the conditions recommended by the Planning and Zoning Commission by deleting Condition F in its entirety.

Motion Adopted: 4 Yeas, 1 Absent.

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea**

**M 441 14
Adopt
Ordinance
No. 2365/
C/U
No. 1990**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to Adopt Ordinance No. 2365 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A NURSERY AND LANDSCAPING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 5.436 ACRES, MORE OR LESS” (Tax Map I.D. 133-5.00-26.00) (Conditional Use No. 1990) filed on behalf of Olsen Enterprises, Inc., with the following conditions:

- A. The Final Site Plan shall specifically show all areas for existing and proposed greenhouses and nursery stock, as well as vehicle and truck parking. It shall also show existing and proposed storage containers on the site. Those storage containers shall be screened from view of neighboring properties.**
- B. All materials and equipment storage shall be within the existing pole building.**
- C. One lighted sign, not to exceed 6 square feet per side, shall be permitted.**
- D. The Applicant has proposed to extensively landscape the property. The Final Site Plan shall contain a proposed landscaping plan for the site.**
- E. The Applicant shall confirm on the Final Site Plan whether the ditch on the property is a Tax Ditch. If it is a Tax Ditch, all Tax Ditch Easements shall be shown on the Final Site Plan.**
- F. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

**M 441 14
(continued)**

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea

M 442 14 A Motion was made by Mr. Cole, seconded by Mr. Wilson, to adjourn at
Adjourn 2:20 p.m.

Motion Adopted: 4 Yeas, 1 Absent.

Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Phillips, Absent; Mr. Wilson, Yea;
Mr. Vincent, Yea

Respectfully submitted,

Susan W. Webb
Administrative Secretary