

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 15, 2016

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, November 15, 2016, 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
Robert B. Arlett	Councilman
George B. Cole	Councilman
Joan R. Deaver	Councilwoman
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 680 16
Approve
Agenda**

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

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of October 25 and November 11, 2016 were approved by consent.

**Corre-
spondence**

The following correspondence was read into the record:

COZY CRITTERS AFTER SCHOOL PROGRAM, FRANKFORD, DELAWARE.

RE: Letter in appreciation of grant.

SUSSEX COMMUNITY CRISIS HOUSING SERVICE, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of grant.

REHOBOTH ART LEAGUE, REHOBOTH BEACH, DELAWARE.

RE: Letter in appreciation of grant.

COASTAL CONCERTS, LEWES, DELAWARE.

RE: Letter in appreciation of grant.

**Consent
Agenda**

**M 681 16
Approve
Consent
Agenda**

Consent Agenda

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to approve the following items listed under the Consent Agenda:

**Wastewater Agreement No. 984-9
Sussex County Project No. 81-04
Coastal Club – Land Bay 3 – Phase A-1
Goslee Creek Planning Area**

**Wastewater Agreement No. 984-10
Sussex County Project No. 81-04
Coastal Club – Land Bay 3 – Phase A-2
Goslee Creek Planning Area**

**Wastewater Agreement No. 1056
Sussex County Project No. 81-04
Maryland Avenue Sewer Relocation
Bethany Beach Sanitary Sewer District**

Motion Adopted: 5 Yeas.

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

**Public
Comments**

Public Comments

Bill Kinnick stated that he was speaking on behalf of the approximately 40,000 people that live in manufactured homes. He talked about the need for a manufactured home community and housing division in Sussex County and noted that there is currently no oversight in the State of Delaware or in the counties in Delaware. Mr. Kinnick presented documentation to Mr. Lawson.

Leonard Sears stated that there is no plan in place for manufactured housing in Sussex County; that a comprehensive plan is needed to address the many problems that exist; and that they need the County's help in addressing the problems.

Mr. Kramer questioned why the County does not broadcast the meetings of the League of Women Voters of Sussex County (held in Council Chambers) as well as workshops held at the County's West Complex (i.e. the Comprehensive Land Use Plan Workshop scheduled on this date).

Paul Reiger commented on zonings and definitions, i.e. garages, pole barns, storage containers, fencing.

**Adminis-
trator's
Report**

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

1. Delaware State Police Activity Report

The Delaware State Police year-to-date activity report for September 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 192 troopers assigned to Sussex County for the month of September.

2. Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County

The Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County will meet November 21st at 10:00 a.m. at the Sussex County Administrative Offices West Complex, 22215 North DuPont Boulevard, in Georgetown. Mary Ann Leager, Senior Branch Manager, M&T Bank, will be speaking on "*Preventing Senior Financial Fraud.*" The Conference Planning Subcommittee will also meet at 11:30 a.m. to discuss the 2016 LIVE Conference which was held on October 19th. A copy of the agenda for each meeting is attached.

3. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, Forest Landing – Phase 3C, Forest Landing – Phase 3D, and Bay Forest Club – Phase 4.3 (Construction Record) received Substantial Completion effective October 31st.

4. Department of Natural Resources and Environmental Control Public Hearing

The Department of Natural Resources and Environmental Control (DNREC) will host a public hearing tonight on the City of Rehoboth's application to construct and operate improvements to the city's wastewater treatment facility, including a proposed ocean outfall. The hearing is scheduled for 6:00 p.m. at the Rehoboth Elementary School.

County Engineer Hans Medlarz along with the County Administrator are scheduled to participate in the hearing and present comments on behalf of Sussex County.

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

5. Thanksgiving Holiday

Please note that Council will not meet on Tuesday, November 22nd, during the week of Thanksgiving. County offices will be closed on Thursday, November 24th, and Friday, November 25th, for the Thanksgiving holiday and will reopen on Monday, November 28th, at 8:30 a.m. The next regularly scheduled Council meeting will be held on Tuesday, November 29th, at 10:00 a.m.

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

**Financial
Report**

Mrs. Jennings presented the First Quarter Financial Report for FY2017.

**General
Labor &
Equipment
Contract**

Hans Medlarz, County Engineer, presented Change Order No. 1 for the General Labor & Equipment Contract (Project No. 17-01). Mr. Medlarz highlighted the work items that are included in the Change Order totaling \$577,334.80. He noted that these items are either emergency type projects or urgent repairs.

**M 682 16
Approve
Change
Order/
General
Labor &
Equipment
Contract**

A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, based upon the recommendation of the Engineering Department, that Change Order No. 1 for Contract No. 17-01, FY17 General Labor & Equipment Contract, be approved, which increases the contract amount by \$577,334.80 for a new total of \$2,675,230.80.

Motion Adopted: 5 Yeas.

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

**T-Hangar
Replace-
ment
Project/
Bid
Award
Recom-
mendation**

Hans Medlarz, County Engineer, and Jim Hickin, Director of Airport and Industrial Park, presented the bid results for the T-Hangar Replacement Project. It was noted that this project was bid after all bids were previously rejected for the repair of the storm damage to the vintage T-Hangar at Delaware Coastal Airport. Mr. Medlarz outlined the three project options, the three alternate bids (Alternate Bid A, B, and C) and Additive D (demolition); he noted that the damage-related expenses can be recovered from the insurance company under either approach.

Four bids were received; Common Sense Solutions, LLC provided the lowest responsive bid of \$537,219.57 based on Alternate B for a pre-engineered T-Hangar with a new concrete floor slab and associated foundation system. The addition of Bid Additive Schedule D in the amount of \$29,838.60 for demolition of the existing T-Hangar will bring the total bid to \$567,058.17. Mr. Medlarz reported that Common Sense Solutions, LLC did not offer a bid for the electrical work and that the Engineering Department will secure this portion separately under a targeted quotation

**T-Hangar Replacement Project/
Bid Award Recommendation
(continued)** process with at least three interested electrical contractors (value estimated to be \$43,000.00±).

Mr. Medlarz noted that the new T-hangar will house nine planes; that there is an established need for T-Hangars; and that the County has had a waiting list for ten years. He explained that the lease income for the new T-Hangar will allow a payback of the project in approximately 15 years.

A discussion was held on how to offer the T-Hangar for sale.

**M 683 16 Award Bid/
T-Hangar Replacement Project** A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Engineering Department, that Contract No. 17-07, T-Hangar Replacement, be awarded to Common Sense Solutions, LLC at the total bid amount of \$567,058.17.

Motion Adopted: 5 Yeas.

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

**Landfills Site Maintenance/
Bid Award Recommendation** Hans Medlarz, County Engineer, referenced the six landfills that the County has historically operated which are governed by the Delaware Hazardous Substance Cleanup Act (HSCA) and regulated by DNREC. Mr. Medlarz stated that all of the sites have operation and maintenance plans and environmental covenants; the maintenance plans include annual monitoring of a series of groundwater wells located on- and off- site. A Request for Proposals was advertised for the annual landfill maintenance contract.

Mr. Medlarz stated that, in addition to the award recommendation of the 2016 annual landfill maintenance contract, the Engineering Department requests Council's approval to advertise for a comprehensive, multi-year, landfill maintenance agreement.

**M 684 16 Award Bid for
Landfill Maintenance Contract
2016** A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, based upon the recommendation of the Engineering Department, that the 2016 Landfill Maintenance Contract be awarded to Betts Land Contractors of Milton, Delaware, at the total bid amount of \$26,100.00.

Motion Adopted: 5 Yeas.

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

M 685 16 A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, that the Sussex County Council approves the advertisement for a comprehensive,

M 685 16
Multi-Year
Landfill
Main-
tenance
Contract
(continued)

competitive, multi-year landfill maintenance contract.

Motion Adopted: 5 Yeas.

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

Estates of
Sea Chase/
Change
Order and
Substantial
Completion

Joe Wright, Assistant County Engineer, presented the Balancing Change Order and request to grant Substantial Completion for The Estates of Sea Chase, Project No. 16-32, a Chapter 96 – Sussex Community Improvement Project. Mr. Wright noted that the County received \$55,000 in bond funds for this project and supplemented those funds with the Chapter 96 Program with the residents reimbursing the difference.

M 686 16
Approve
Change
Order and
Grant
Substantial
Completion/
Estates of
Sea Chase

A Motion was made by Mr. Wilson, seconded by Mrs. Deaver, based upon the recommendation of the Engineering Department, that Change Order No. 1 for Contract No. 16-32, The Estates of Sea Chase Subdivision, Chapter 96 – Sussex Community Improvement Project, be approved, which decreases the contract amount by \$11,911.10, for a new total of \$74,145.50, and that Substantial Completion be granted effective October 4, 2016, and any held retainage be released in accordance with the contract documents.

Motion Adopted: 5 Yeas.

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

Third
Quarter
Employee
Recognition
Awards

Mrs. Jennings reported that the County recognizes employees for exceptional service and that employees can be recognized by coworkers, residents, and customers. Mrs. Jennings announced that four employees received acknowledgement for the Third Quarter of 2016. Donna Pusey in the Sheriff’s Department was selected to receive the Third Quarter Customer Service Award and three employees received Honorable Mention: Loretta Benson in the Collections Department, and Bob Roth and Kelly Passwaters in the Planning and Zoning Department.

Request
for Time
Extension/
Woodfield
Preserve
Subdivision

Lawrence Lank, Director of Planning and Zoning, presented a request for an extension of time period for Subdivision No. 2007-9, the application of Thompson Schell, LLC for the Woodfield Preserve Subdivision. The subdivision is subject to sunset on December 1, 2016, unless a time extension is granted for additional time to get the project substantially underway.

Mr. Lank stated that it is his opinion that the project meets the relevant factors referenced in 99-40F of the Subdivision Code for the process of granting an extension of a time period for a subdivision.

**M 687 16
Grant
Time
Extension/
Woodfield
Preserve
Subdivision**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, based upon the authority granted to the Council by Ordinance No. 2428, and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director of Planning and Zoning, that the Woodfield Preserve Subdivision shall be granted a six month time extension until June 1, 2017, which is six months from December 1, 2016, the original termination date of the subdivision.

Motion Adopted: 4 Yeas, 1 Nay.

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

**Report/
CZ 1802**

Lawrence Lank, Director of Planning and Zoning, reported on Change of Zone No. 1802 filed on behalf of J. G. Townsend, Jr. & Co. The Council held a Public Hearing on this application on August 23, 2016 and discussed the application again on August 30 and October 4, 2016.

Mr. Lank reported on the information requested and received; responses were received from DelDOT and DNREC and have been made a part of the record. Mr. Lank noted that the record can now be reopened for public comment on those reports (only).

**M 688 16
Accept
Comments/
Open
Public
Record/
CZ 1802**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that (in regard to Change of Zone No. 1802) the Sussex County Council accepts the comments submitted by DelDOT and DNREC, and that the record will remain open until the close of business (4:30 p.m.) on Friday, December 2, 2016, for written comments on the information received from DelDOT and DNREC (only).

Motion Adopted: 5 Yeas.

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

**Old
Business/
CZ 1759**

The Council discussed Change of Zone No. 1759 filed on behalf of Osprey Point D, LLC. The Planning and Zoning Commission held a Public Hearing on this application on January 8, 2015 at which time action was deferred; on April 14, May 26, and June 23, 2016, the Commission discussed the application. On June 23, 2016, the Commission recommended approval of the application (vote was 3-0 as two members were not participating) for the following reasons and with the following conditions:

- 1) This project originally sought approval for 339 units, including 180 townhouses. During the public hearing, much of the opposition related to the density of the proposed development and the proposed townhouses. After hearing these concerns, the applicant submitted a**

**Old
Business/
CZ 1759
(continued)**

revised Site Plan that deletes the townhouses and reduces the number of units to 217, which is a reduction in the density from 3.2 units per acre to 2.0 units per acre; or gross density calculation from 2.7 units per acre to 1.7 units per acre. This 36% reduction in housing units results in a development that is consistent with the surrounding developments of Old Landing Road. In my 11.5 years on the Commission typically changes are made from Preliminary to Final approval.

- 2) The proposed MR-RPC project meets the purpose of the Zoning Ordinance in that it promotes the orderly growth of the County because the proposed project is in a Development Area as established by the Comprehensive Land Use Plan.
- 3) The development of this site at 217 units is consistent with and often less than the densities of surrounding RPCs and other developments that exist along Old Landing Road, including Sawgrass South, Sawgrass at White Oak Creek and the Villages at Old Landing. In addition, Redden Ridge was approved as a bonus density cluster development. As a result, this project represents “infill” development.
- 4) Sewer service will be provided as part of a County operated Sanitary Sewer District, and adequate wastewater capacity is available for the project.
- 5) Central water will be provided to the project.
- 6) With the conditions placed upon this project, the RPC designation is appropriate for this parcel of land in that the purpose of an RPC is to encourage large scale development as a means to create superior living environments and the use of design ingenuity. This development, revised to only include single family lots, achieves this goal. The design also retains a great deal of open space, provides for additional buffers, protects wetlands, and provides considerable recreational amenities.
- 7) A revised Traffic Operational Analysis was prepared and reviewed by DelDOT as a result of the reduction in residential units. The applicant will be required to comply with all DelDOT entrance, intersection and roadway improvement requirements, including the improvement of Old Landing Road from Fairway Drive to its southern terminus, construction of bicycle and pedestrian improvements and required contributions to the signalization and improvement of the Old Landing Road/Warrington Road/Strawberry Way intersection.
- 8) The proposed development will provide buffers from Federal and State wetlands and will comply with the Inland Bays Pollution Control Strategy. The Final Site Plan will take into account the review and approval of Federal, State and County agencies that have jurisdiction over the protection of wetlands.
- 9) There was concern stated in the record about soil types and storm water management at this site. All of this will be reviewed and regulated by the Sussex Conservation District and DNREC prior to Final Site Plan approval. As with any Preliminary Site Plan, there may be further changes to the Plan following the District’s and DNREC’s review to accommodate an appropriate and workable storm water management design.

**Old
Business/
CZ 1759
(continued)**

- 10) The Plan has adequately addressed all of the terms contained in Section 99-9C of the Subdivision Code.**
- 11) This recommendation is subject to the following conditions:**
 - A. The maximum number of residential units shall not exceed 217 single family lots. No townhouses shall be permitted in the project.**
 - B. Site Plan review shall be required for each phase of development.**
 - C. All entrance, intersection, interconnection, roadway and multi-modal improvements required by DelDOT shall be completed by the applicant in accordance with DelDOT's requirements, or in accordance with any further modifications required by DelDOT. The developer shall also contribute to the Old Landing Road/Warrington Road/Strawberry Way intersection and signalization improvements.**
 - D. As proffered by the applicant, the central recreational facilities and amenities shall be constructed and open to use by residents of the development no later than the issuance of the 100th building permit. These recreational facilities shall include a clubhouse, pool, tennis and basketball courts, and a tot lot and dog park.**
 - E. The development shall be served as part of the West Rehoboth Sanitary Sewer District in accordance with the Sussex County Engineering Department specifications and regulations.**
 - F. The MR-RPC shall be served by a public central water system providing adequate drinking water and fire protection as required by applicable regulations.**
 - G. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with applicable State and County requirements. These facilities shall be operated in a manner that is consistent with Best Management Practices (BMPs). The Final Site Plan shall contain the approval of the Sussex Conservation District.**
 - H. The interior street design shall be in accordance with or exceed Sussex County street design requirements and/or specifications. As proffered by the applicant, street design shall include sidewalks on both sides of the streets and street lighting.**
 - I. The applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscape design.**
 - J. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur from Monday through Saturday and only between the hours of 7:00 a.m. and 6:00 p.m.**
 - K. The applicant shall cause to be formed a homeowner's association to be responsible for the maintenance of the streets, roads, buffers, open spaces, stormwater management facilities and other common areas.**

**Old
Business/
CZ 1759
(continued)**

- L. Federal and State wetlands shall be maintained as non-disturbance areas, except where authorized by Federal or State permits. The wetland areas shall be clearly marked on the site with permanent markers.**
- M. As proffered by the applicant, there shall be a 25 foot non-disturbance buffer from all Federal non-tidal wetlands. There shall also be a 50 foot non-disturbance buffer from all State tidal wetlands as required by County Code.**
- N. A revised Preliminary Site Plan depicting these conditions and the applicant's proposed changes shall be submitted to the Department for the review and approval by the Planning and Zoning Commission.**
- O. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

The County Council held a Public Hearing on this application on February 3, 2015 at which time action was deferred.

In response to questions, Mr. Moore proposed that Council consider an additional condition, as follows:

- P. Pursuant to Section 115-125(B) of the Zoning Ordinance, prior to approval of the RPC Record Plan or Final Site Plan, the Planning and Zoning Commission shall confirm that the Applicant has recorded a deed restriction, limiting the design of the development to a maximum residential density of 217 single family lots and that said restriction cannot be modified or amended without the approval of the Sussex County Council.**

The Council discussed the Proposed Ordinance and recommended conditions of approval.

**M 689 16
Add
Condition
P to
CZ 1759**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to add Condition P to the recommended conditions (for Change of Zone No. 1759).

Motion Adopted: 5 Yeas.

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

**M 690 16
Adopt
Ordinance
No. 2475**

A Motion was made by Mrs. Deaver, seconded by Mr. Cole, to adopt Ordinance No. 2475 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX

**M 690 16
Adopt
Ordinance
No. 2475/
CZ 1759
(continued)**

COUNTY, CONTAINING 126.8795 ACRES, MORE OR LESS (Change of Zone No. 1759) filed on behalf of Osprey Point D, LLC, with the following conditions, as amended:

- A. The maximum number of residential units shall not exceed 217 single family lots. No townhouses shall be permitted in the project.**
- B. Site Plan review shall be required for each phase of development.**
- C. All entrance, intersection, interconnection, roadway and multi-modal improvements required by DelDOT shall be completed by the applicant in accordance with DelDOT's requirements, or in accordance with any further modifications required by DelDOT. The developer shall also contribute to the Old Landing Road / Warrington Road / Strawberry Way intersection and signalization improvements.**
- D. As proffered by the applicant, the central recreational facilities and amenities shall be constructed and open to use by residents of the development no later than the issuance of the 100th building permit. These recreational facilities shall include a clubhouse, pool, tennis and basketball courts, and a tot lot and dog park.**
- E. The development shall be served as part of the West Rehoboth Sanitary Sewer District in accordance with the Sussex County Engineering Department specifications and regulations.**
- F. The MR-RPC shall be served by a public central water system providing adequate drinking water and fire protection as required by applicable regulations.**
- G. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with applicable State and County requirements. These facilities shall be operated in a manner that is consistent with Best Management Practices (BMPs). The Final Site Plan shall contain the approval of the Sussex Conservation District.**
- H. The interior street design shall be in accordance with or exceed Sussex County street design requirements and/or specifications. As proffered by the applicant, street design shall include sidewalks on both sides of the streets and street lighting.**
- I. The applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscape design.**
- J. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur from Monday through Saturday and only between the hours of 7:00 a.m. and 6:00 p.m.**
- K. The applicant shall cause to be formed a homeowner's association to be responsible for the maintenance of the streets, roads, buffers, open spaces, stormwater management facilities and other common areas.**

**M 690 16
Adopt
Ordinance
No. 2475/
CZ 1759
(continued)**

- L. Federal and State wetlands shall be maintained as non-disturbance areas, except where authorized by Federal or State permits. The wetland areas shall be clearly marked on the site with permanent markers.**
- M. As proffered by the applicant, there shall be a 25 foot non-disturbance buffer from all Federal non-tidal wetlands. There shall also be a 50 foot non-disturbance buffer from all State tidal wetlands as required by County Code.**
- N. A revised Preliminary Site Plan depicting these conditions and the applicant's proposed changes shall be submitted to the Department for the review and approval by the Planning and Zoning Commission.**
- O. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**
- P. Pursuant to Section 115-125(B) of the Zoning Ordinance, prior to approval of the RPC Record Plan or Final Site Plan, the Planning and Zoning Commission shall confirm that the Applicant has recorded a deed restriction, limiting the design of the development to a maximum residential density of 217 single family lots and that said restriction cannot be modified or amended without the approval of the Sussex County Council.**

Motion Adopted: 5 Yeas.

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

**Grant
Requests**

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

**M 691 16
County-
wide
Youth
Grant**

A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, to give \$1,000.00 from Countywide Youth Grants to the Boys & Girls Clubs of Delaware for a masquerade ball scholarship fundraiser.

Motion Adopted: 5 Yeas.

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

**M 692 16
Council-
manic
Grant**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to give \$600.00 (\$300.00 each from Mr. Vincent's and Mr. Arlett's Councilmanic Grant Accounts) to the Town of Blades for community event expenses.

Motion Adopted: 5 Yeas.

M 694 16 **At 12:20 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Cole, to**
Reconvene **come out of Executive Session and to reconvene the Regular Session.**
Regular

Session **Motion Adopted: 3 Yeas, 2 Absent.**

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

E/S Action **There was no action on Executive Session matters.**

M 695 16 **A Motion was made by Mr. Arlett, seconded by Mr. Cole, to recess until**
Recess **1:00 p.m.**

Motion Adopted: 3 Yeas, 2 Absent.

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

M 696 16 **At 1:05 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Cole, to**
Reconvene **reconvene (meeting reconvened at the County's West Complex, as**
advertised).

Motion Adopted: 4 Yeas, 1 Absent.

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

Compre- **Mr. Lawson announced that members of the Sussex County Council**
hensive **reconvened for a Comprehensive Land Use Plan workshop with members**
Land Use **of the Planning and Zoning Commission, representatives of McCormick**
Plan **Taylor (the County's consultant), and staff. Information presented**
Workshop **included a planning update, an explanation of the phased process, the next**
stage including future coordination efforts; and a report on public meeting
and survey results, A discussion was held regarding the data gathered thus
far and on the path forward.

[Mr. Wilson joined the meeting during the presentation and discussion.]

It was noted that the PowerPoint presented during this workshop will be
made available on the Comprehensive Plan website.

M 697 16 **A Motion was made by Mr. Arlett, seconded by Mr. Cole, to adjourn at**
Adjourn **3:12 p.m.**

Motion Adopted: 5 Yeas.

**(continued) Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;
Mr. Arlett, Yea; Mr. Wilson, 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.}