

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 17, 2020

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, November 17, 2020, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Irwin G. Burton III	Vice President
Douglas B. Hudson	Councilman
John L. Rieley	Councilman
Samuel R. Wilson Jr.	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation and Pledge of Allegiance were led by Mr. Vincent.

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 456 20
Approve
Agenda**

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

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Minutes

The minutes of November 10, 2020 were approved by consent.

**Corre-
spondence**

Mr. Moore noted that correspondence was received from the following: Champions for Children's Mental Health, Milford Housing Development Corporation, and Nanticoke Senior Center.

**Public
Comments**

There were no public comments.

**Western
Sussex
Business
Campus**

David Genshaw, Mayor of the City of Seaford, and Charles Anderson, City Manager, presented and discussed a proposal for a Western Sussex Business Campus to be located on a parcel of land located at Herring Run Road and Ross Station Road. The City has two business parks surrounding this property that are completely full. The Mayor reported that, recently, a Letter of Intent was received from a major developer to buy half of the park and that with the purchase of half of this park, once the infrastructure is in, the developer is committing to build a \$4 million to \$6 million building.

**Western
Sussex
Business
Campus
(continued)**

Mr. Anderson reported on the concept development plan of the Western Sussex Business Campus. He noted that the property is adjacent to a lot of infrastructure, i.e. water tower and large sewer mains; that they plan to develop the site in four (4) phases; that the initial entrance would be created along Herring Run Road; that the cost for Phase One to develop four lots is approximately \$1.9 million; that the schedule is for construction to begin in early Spring 2021 and they project that the first four lots (to accommodate the Developer's request) will be completed in Fall 2021; that the Developer would own the lots/buildings; and that the City would own and maintain the infrastructure facilities and would manage the park.

The Mayor asked the County to consider partnering with the City to support the development of the project which will provide increased employment opportunities for all of Sussex County.

Also in attendance was Trisha Newcomer, City of Seaford's Economic Development Director.

No action was taken on this date.

**2021
Schedule**

Mr. Lawson presented the proposed Sussex County 2021 Schedule for the Council's consideration.

**M 457 20
Approve
2021
Holiday
and
Council
Schedule**

A Motion was made by Mr. Hudson, seconded by Mr. Rieley, that the Council approves the 2021 Holiday Schedule and the 2021 County Council Meeting Schedule, as follows:

Holiday Schedule

New Year's Day	January 1 (Friday)
Martin Luther King, Jr. Day	January 18 (Monday)
Good Friday	April 2 (Friday)
Memorial Day	May 31 (Monday)
Independence Day	July 5 (Monday)
Labor Day	September 6 (Monday)
Veterans Day	November 11 (Thursday)
Thanksgiving	November 25 (Thursday)
	November 26 (Friday)
Christmas	December 23 (Thursday)
	December 24 (Friday)
New Year's Day (2022)	December 31 (Friday)

(The County grants two floating holidays to eligible employees per calendar year in accordance with the Floating Holiday Policy.)

**M 457 20
Approve
2021
Holiday
and
Council
Schedule
(continued)**

Sussex County Council Meeting Schedule

The Sussex County Council will not meet on the following dates in the Year 2021:

**JANUARY 19
FEBRUARY 23
MARCH 30
APRIL 6
MAY 4 (no regular meeting – budget workshop)
JUNE 1
JULY 6
JULY 20
AUGUST 3
AUGUST 17
SEPTEMBER 7
OCTOBER 5
NOVEMBER 2
NOVEMBER 23
DECEMBER 21
DECEMBER 28**

Motion Adopted: 4 Yeas, 1 Abstention.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Abstained; Mr. Burton, Yea;
Mr. Vincent, Yea**

**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 October 2020 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 189 troopers assigned to Sussex County for the month of October.

2. Council Meeting/Holiday Schedule

Council will not meet on Tuesday, November 24th, during the week of Thanksgiving. County offices will be closed on Thursday, November 26th, and Friday, November 27th, for the Thanksgiving holiday and will reopen on Monday, November 30th, at 8:30 a.m. The next regularly scheduled Council meeting will be held on December 1st at 10:00 a.m.

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

Proposed Ordinance Relating to Pension Benefits

Mrs. Jennings presented for Council's consideration a Proposed Ordinance amending the Sussex County Code relating to pension benefits. This ordinance achieves two goals: (1) ensures the County's pension plan continues to be considered as a qualified pension plan under the Internal Revenue Service Code, and (2) requires employees hired after December 30, 2020 to pay a 5% contribution to their pension. Mrs. Jennings noted that none of these revisions change the benefits that current employees are receiving as of this date.

Introduction of Proposed Ordinance Relating to Pension Benefits

Mr. Burton introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 26 OF THE CODE OF SUSSEX COUNTY RELATING TO PENSION BENEFITS FOR SUSSEX COUNTY EMPLOYEES REGARDING EMPLOYEE ELIGIBILITY AND CONTRIBUTIONS, AND TO BRING THE CODE INTO COMPLIANCE WITH THE UNITED STATES INTERNAL REVENUE CODE".

The Proposed Ordinance will be advertised for Public Hearing.

CARES Act CDBG-CV1 Grant Agreement

Brandy Naumann, Housing Coordinator & Fair Housing Compliance Officer, noted that on June 30 and September 22, 2020, she provided progress updates on the supplemental CARES Act funding made available to Sussex County through the Community Development Block Grant (CDBG) program to prevent, prepare for, and respond to the spread of COVID-19. Mrs. Naumann asked for Council's approval of a Resolution authorizing the execution of agreements for CARES Act CDBG-CV funding.

M 458 20 Adopt Resolution R 016 20

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to Adopt Resolution No. R 016 20 entitled "A RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS FOR CARES ACT CDBG-CV FUNDING".

Motion Adopted: 4 Yeas, 1 Abstention.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea; Mr. Wilson, Abstained; Mr. Burton, Yea; Mr. Vincent, Yea

IBRWF Biosolids & Septage Facilities/ Project 18-19

Hans Medlarz, County Engineer, presented Change Order No. 8, in the amount of \$105,538.94, to Project 18-19, Inland Bays Regional Wastewater Facility (IBRWF) – Biosolids & Septage Facilities. Items included in Change Order No. 8 are: provide a curtain system at the dryer building to reduce weather effects and replace thermal fluid piping for the biosolids dryer.

M 459 20 Approve Change Order

A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 8 for Contract 18-1, Inland Bays Regional Wastewater Facility (IBRWF) – Biosolids & Septage Facilities, be approved, increasing

M 459 20 the contract amount by \$105,538.94 for a new contract total of
(continued) \$14,070,621.37.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

Mulberry Knoll Forcemain and Pump Station Hans Medlarz, County Engineer, presented the bid results for Project S20-14, Mulberry Knoll Forcemain and Pump Station. Project S20-14 is for the construction of the Mulberry Knoll pump station and forcemain for sewer conveyance. A total of seven bids were submitted; Teal Construction submitted the low bid in the amount of \$1,368,000.00.

M 460 20 A Motion was made by Mr. Burton, seconded by Mr. Hudson, based upon
Award Contract S20-14/ Mulberry Knoll Forcemain and Pump Station the recommendation of the Sussex County Engineering Department, that Contract S20-14, Mulberry Knoll Pump Station and Forcemain be awarded to Teal Construction, Inc. for the total bid of \$1,368,000.00, contingent upon concurrence of the State Funding Agency.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

Contract Amendment for Project S20-14 Hans Medlarz, County Engineer, presented Amendment No. 3 to the KCI Technologies Base Owner-Engineer Professional Services Agreement, dated September 10, 2019, at a not-to-exceed value of \$42,300.00, for as-needed construction phase services related to Mulberry Knoll Pump Station & Forcemain, Project S20-14.

M 461 20 A Motion was made by Mr. Burton, seconded by Mr. Wilson, based upon
Approve Contract Amendment for Project S20-14/ Mulberry Knoll Pump Station and Forcemain the recommendation of the Sussex County Engineering Department, that Amendment No. 3 to the five-year Miscellaneous Engineering Services Agreement with KCI Technologies, Inc. be approved in the amount not-to-exceed \$42,300.00 for as-needed construction phase services related to Project S20-14, Mulberry Knoll Pump Station.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea

Grant Requests

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

M 462 20 Councilmanic Grant

A Motion was made by Mr. Burton, seconded by Mr. Wilson, to give \$3,000.00 from Mr. Burton's Councilmanic Grant Account to the Greater Lewes Community Village for operating and equipment expenses.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 463 20 Councilmanic Grant

A Motion was made by Mr. Rieley, seconded by Mr. Burton, to give \$1,000.00 (\$500.00 each from Mr. Vincent's and Mr. Rieley's Councilmanic Grant Accounts) to the Good Samaritan Aid Organization for Christmas outreach for families in need.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

M 464 20 Councilmanic Grant

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to give \$2,000.00 (\$400.00 from each Councilmanic Grant Account) to Autism Delaware for the Blue Jean Ball fundraiser.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Introduction of Proposed Ordinances

Mr. Hudson introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 235-13.00-29.00, 235-13.00-29.01 & 235-14.00-570.00".

Mr. Burton introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A REAL ESTATE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.709 ACRE, MORE OR LESS" (Conditional Use No. 2246) filed on behalf of Bee Wise, LLC (Tax I.D. No. 334-12.00-24.00) (911 Address: 20028 John J. Williams Highway, Lewes).

Introduction of Proposed Ordinances (continued) **Mr. Rieley introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MULTI FAMILY (41 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 20.91, MORE OR LESS” (Conditional Use No. 2249) filed on behalf of Mayapple Farms, LLC. (Tax I.D. No. 533-19.00-289.05) (911 Address: None Available).**

The Proposed Ordinances will be advertised for Public Hearing.

M 465 20 Go Into Executive Session **At 11:19 a.m., a Motion was made by Mr. Hudson, seconded by Mr. Burton, to recess the Regular Session and go into Executive Session to discuss matters relating to pending litigation and land acquisition.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

Executive Session **At 11:25 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to pending litigation and land acquisition. The Executive Session concluded at 1:34 p.m.**

M 466 20 Reconvene **At 1:37 p.m., a Motion was made by Mr. Burton, seconded by Mr. Wilson, to reconvene the Regular Session.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

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

**Public Hearing/
CZ 1928** **A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 11.570 ACRES, MORE OR LESS” (Change of Zone No. 1928) filed on behalf of Plantation Partners, LLC (Tax I.D. No. 334-12.00-52.00 (portion of) (911 Address: None Available).**

**Public
Hearing/
CZ 1928
(continued)**

The Planning and Zoning Commission held a Public Hearing on this application on October 22, 2020 at which time action was deferred. On November 12, 2020, the Commission recommended approval.

(See the minutes of the Planning and Zoning Commission dated October 22 and November 12, 2020.)

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

The Council found that David Hutt, Attorney, was present on behalf of the Applicant and the property owner (J.G. Townsend Jr. & Co.) Also present were Nick Hammonds, Principal of the Applicant, and Ring Lardner and Cliff Mumford with Davis Bowen & Friedel.

Mr. Hutt stated that this application is for 11.5 acres of approximately 114 acres located on the southwest side of Plantation Road; that the property is currently unimproved; that the purpose of the C-2 zoning supports uses that include retail sales and performance of consumer services, that it permits a variety of retail, professional and services businesses, that the district shall be primarily located near arterial and collector streets, that it accommodates community commercial uses that do not have outside storage or sales; that surrounding uses include a variety of uses that are similar to the uses allowed in the C-2 District, including an office park, a church, and a paramedic station; that across Route 24 is the Beebe Medical campus; that this application fits the exact purpose of the C-2 District as described in the Zoning Code; that the 2020 Delaware Strategies for State Policies and Spending designate this property and surrounding properties as being in an Investment Level 2 Area; that the site is located in the Coastal Area according to the 2018 Comprehensive Plan; that public water and sewer are available; that DelDOT did not require a Traffic Impact Study; and that this property lies within the Henlopen Transportation Improvement District.

There were no public comments.

The Public Hearing and public record were closed.

**M 467 20
Adopt
Ordinance
No. 2754/
CZ 1928**

A Motion was made by Mr. Burton, seconded by Mr. Hudson, to Adopt Ordinance No. 2754 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 11.570 ACRES, MORE OR LESS” (Change of Zone No. 1928) filed on behalf of Plantation Partners, LLC.

Motion Adopted: 5 Yeas.

**M 467 20
(continued)**

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**Public
Hearing/
CU 2228**

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 CAMPGROUND FOR MOBILE CAMPERS, CAMP TRAILERS, TOURING VANS AND THE LIKE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 73.91 ACRES, MORE OR LESS” (Conditional Use No. 2228) filed on behalf of M. L. Joseph Heirs Farm Account, LLC (Tax I.D. No. 135-15.00-55.01) (911 Address: 22349 Lewes-Georgetown Highway, Georgetown).

The Planning and Zoning Commission held a Public Hearing on this application on October 22, 2020 at which time action was deferred. On November 12, 2020, the Commission recommended approval with the following conditions:

- a. There shall be no more than 304 camping and RV sites and no more than 46 cabins within the campground.**
- b. All entrance and roadway improvements and any other DelDOT requirements shall be completed as required by DelDOT.**
- c. The campground shall be connected to the Town of Georgetown’s central sewer system.**
- d. The campground shall be connected to the Town of Georgetown’s water system for domestic use and fire protection.**
- e. Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements and maintained using Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District.**
- f. The Development shall be surrounded by a 50-foot landscaped buffer.**
- g. The entire facility may open no earlier than March 1st of each year and shall close no later than November 30th of each year.**
- h. The campground shall remain vacant and no campers or RVs shall be stored on the campsites during the period that the campground is closed. This prohibition shall not include designated storage areas shown on the Final Site Plan, or the cabins, which may remain unoccupied in their respective locations.**
- i. There shall be no accessory buildings located on individual campsites.**
- j. Campground restrictions shall be submitted as part of the site plan review. These shall include “Quiet Hours” between 10:00 p.m. and 7:00 a.m. each day.**
- k. All units to be used for the purpose of human habitation on campsites shall be tents, travel trailers, recreation vehicles and equipment manufactured specifically for camping purposes.**
- l. The Developer shall plan the entrance design to accommodate a DART**

**Public
Hearing/
CU 2228
(continued)**

- bus stop and turnabout in consultation and cooperation with DART.**
- m. One sign not exceeding thirty-two (32) square feet per side, with lighting, shall be permitted at the entrances to Route 9 and Sand Hill Road. The lighting for the signs shall not shine on any neighboring properties or roadways.**
 - n. All lighting shall be downward screened so that it does not shine on neighboring communities or roadways.**
 - o. Any wetlands on the site shall be clearly marked to avoid disturbance. The location and type of these markers shall be shown on the Final Site Plan.**
 - p. The Applicant shall identify all “dwellings” in the vicinity of the property that require a 400 foot buffer pursuant to Section 115-172H(3) of the Sussex County Code. All campsites and cabins shall be a minimum of 400 feet from any dwelling that exists at the time of Final Site Plan approval.**
 - q. All campsites must be 2000 square feet in size and at least 40 feet wide.**
 - r. No cabin or campsite shall have direct access to any road outside of the boundaries of the campground. Access to the campground shall be gated and restricted so that the only access shall be from the established entrance points.**
 - s. There shall be no sales of campsites or camping units, including park models, RVs, travel trailers or cabins.**
 - t. The campground shall comply with all of the requirements of Section 115-172H.**
 - u. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated October 22 and November 12, 2020.)

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

The Council found that David Hutt, Attorney, was present on behalf of the Applicant with Ken Adams, one of the owners of the property, and Mark Davidson with the Pennoni Group. Mr. Hutt stated that the application is for a 350-unit RV resort (304 RV sites and 46 cabins/safari cabins); that this property was the location of the Georgetown Raceway in the 1970s; that tourism is not just limited to the beaches and Inland Bays; that Sports at the Beach in Georgetown draws thousands of people annually; that recently developed is the Sand Hill Sports Complex which is located in close proximity to the application site and which will also draw thousands of people; that the RV industry has performed well during the pandemic; that RV parks are only allowed by Conditional Use in two zoning districts in the County (AR-1 Zoning and Marine Zoning); that a portion of the property is adjacent to the town limits of Georgetown and as Georgetown does not have a zoning district for RV parks and campgrounds, the subject property would not be considered for annexation into the Town’s boundaries; that the Town of Georgetown, Sports at the Beach, and Sand Hill Sports

**Public
Hearing/
CU 2228
(continued)**

Complex all submitted letters in support of the application; that within the County’s boundaries there are a number of commercial properties adjacent to the property; that the 2015 Strategies for State Policies and Spending identifies this property as being in Investment Levels 2 and 3; that according to the 2019 Comprehensive Plan, this property is located in the Developing Area, which is a growth area; that they propose to use both roads as access points; that the Applicant proposes a phasing plan for this project and the first phase would be the western portion of the property which would use the Sandhill Road entrance for access; that DelDOT’s response was that this proposal would have a minor impact on Georgetown East Gateway Improvements; that water and sewer services will be provided by the Town of Georgetown; that there will be no accessory structures on the site except for one dwelling for the campground manager; and that RV resorts and campgrounds are subject to special requirements per 115-172(H) of the County Code. Mr. Hutt reviewed the special requirements, with seven of the nine requirements pertaining to this application.

Public comments were heard.

Mike Johnson spoke in support of the application. He noted the ease of access to the proposed campground from the entire East coast and he commented on the economic benefit of the proposed use.

There were no additional public comments and the Public Hearing was closed.

**M 468 20
Strike
Condition G**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to strike Condition G recommended by the Planning and Zoning Commission.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 469 20
Strike
Portion of
Condition J**

A Motion was made by Mr. Rieley, seconded by Mr. Hudson, to strike the second sentence in Condition J recommended by the Planning and Zoning Commission.

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

**M 470 20
Adopt
Ordinance
No. 2755**

A Motion was made by Mr. Rieley, seconded by Mr. Burton to Adopt Ordinance No. 2755 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 (AGRICULTURAL

**M 470 20
Adopt
Ordinance
No. 2755/
CU 2228
(continued)**

RESIDENTIAL DISTRICT) FOR A CAMPGROUND FOR MOBILE CAMPERS, CAMP TRAILERS, TOURING VANS AND THE LIKE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 73.91 ACRES, MORE OR LESS” (Conditional Use No. 2228) filed on behalf of M. L. Joseph Heirs Farm Account, LLC, with the following conditions:

- a. There shall be no more than 304 camping and RV sites and no more than 46 cabins within the campground.
- b. All entrance and roadway improvements and any other DeIDOT requirements shall be completed as required by DeIDOT.
- c. The campground shall be connected to the Town of Georgetown’s central sewer system.
- d. The campground shall be connected to the Town of Georgetown’s water system for domestic use and fire protection.
- e. Stormwater management and sediment and erosion control facilities shall be constructed in accordance with applicable State and County requirements and maintained using Best Management Practices. The Final Site Plan shall contain the approval of the Sussex Conservation District.
- f. The Development shall be surrounded by a 50-foot landscaped buffer.
- g. The campground shall remain vacant and no campers or RVs shall be stored on the campsites during the period that the campground is closed. This prohibition shall not include designated storage areas shown on the Final Site Plan, or the cabins, which may remain unoccupied in their respective locations.
- h. There shall be no accessory buildings located on individual campsites.
- i. Campground restrictions shall be submitted as part of the site plan review.
- j. All units to be used for the purpose of human habitation on campsites shall be tents, travel trailers, recreation vehicles and equipment manufactured specifically for camping purposes.
- k. The Developer shall plan the entrance design to accommodate a DART bus stop and turnabout in consultation and cooperation with DART.
- l. One sign not exceeding thirty-two (32) square feet per side with lighting shall be permitted at the entrances to Route 9 and Sand Hill Road. The lighting for the signs shall not shine on any neighboring properties or roadways.
- m. All lighting shall be downward screened so that it does not shine on neighboring communities or roadways.
- n. Any wetlands on the site shall be clearly marked to avoid disturbance. The location and type of these markers shall be shown on the Final Site Plan.
- o. The Applicant shall identify all “dwellings” in the vicinity of the property that require a 400 foot buffer pursuant to Section 115-172H(3) of the Sussex County Code. All campsites and cabins shall be a minimum of 400 feet from any dwelling that exists at the time of Final Site Plan approval.

**M 470 20
Adopt
Ordinance
No. 2755/
CU 2228
(continued)**

- p. All campsites must be 2000 square feet in size and at least 40 feet wide.**
- q. No cabin or campsite shall have direct access to any road outside of the boundaries of the campground. Access to the campground shall be gated and restricted so that the only access shall be from the established entrance points.**
- r. There shall be no sales of campsites or camping units, including park models, RVs, travel trailers or cabins.**
- s. The campground shall comply with all of the requirements of Section 115-172H.**
- t. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, Yea;
Mr. Vincent, Yea**

A Motion was made by Mr. Wilson, seconded by Mr. Rieley, to adjourn at 3:14 p.m.

**M 471 20
Adjourn**

Motion Adopted: 5 Yeas.

**Vote by Roll Call: Mr. Hudson, Yea; Mr. Rieley, Yea;
Mr. Wilson, Yea; Mr. Burton, 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.}