



SUSSEX COUNTY COUNCIL

AGENDAS & MINUTES

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 28, 2009

Call to Order

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 28, 2009, at 3:00 p.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Vance Phillips	President
Joan R. Deaver	Councilwoman
Michael H. Vincent	Councilman
Samuel R. Wilson, Jr.	Councilman
David Baker	County Administrator
Susan M. Webb	Finance Director
Hal Godwin	Deputy Administrator
J. Everett Moore	County Attorney

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

Mr. Phillips called the meeting to order.

M 450 09 Amend and Approve Agenda

A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, to amend the Agenda by deleting "Grant Request - Dagsboro Boys & Girls Club for field trips, scholarships and educational supplies"; "Executive Session – Pending/Potential Litigation"; and "Possible Action on Executive Session Items"; and to approve the Agenda, as amended.

Motion Adopted: 4 Yeas, 1 Absent.

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

Corre- spondence

Mr. Moore read the following correspondence:

SUSSEX COUNTY AGING NETWORK, GEORGETOWN, DELAWARE.
RE: Letter of appreciation for recognizing and supporting the needs of senior citizens.

Bridge to a New Position

Mary Ann Hook and April Willey of Sussex Retired and Senior Volunteer Program and Sally Wojcieszyn of Delaware Economic Development Office expressed their gratitude to the County for providing a facility in which to

Workshop/ RSVP and DEDO Presen- tation Presen- tation (continued)	hold the Bridge to a New Position workshops. A Tribute was presented from the State of Delaware, Office of the Governor, thanking the Council for its “outstanding support by generously providing the Emergency Operations Center as a training facility for the workshop, <i>Bridge to a New Position</i> , which has helped over 100 Delaware job seekers to enhance their skills in resume writing, interviewing, job searching and networking to enable them the confidence to be a marketable candidate. Sussex County Council exemplifies the qualities and characteristics of a model company of the great State of Delaware by providing free training space to assist those in time of need.” A Tribute was presented from the State of Delaware, Office of the Governor.
Records Manage- ment Proposal	Dan Parsons, Historic Preservation Planner, updated the Council on the progress of the Records Management project and the Records Management facility, which is located at the former Emergency Operations Center building. Mr. Parsons reported that the building has been renovated to accommodate the organizing, processing, cataloging and storage of County records. He further reported that the County now has a functioning records center and that they are now taking records from departments. There are currently over 2000 cubic feet of permanent records that are now being sorted and indexed; as these records are indexed, a complete list of holdings is being created. He noted that, eventually, records will be scanned and available for County employees to view online. Mr. Parsons advised that the end result will be that each department will maintain three years of records and send the rest to the Records Center to be processed.
Historic Preservation Proposal	Mr. Baker and Mr. Parsons, Historic Preservation Planner, reported that Paul Driscoll of Urban Research & Development Corporation, developed a draft of items for consideration for a Historic Preservation Ordinance. This proposal would provide a waiting period between applying for the demolition of a historic building and carrying out that demolition. The proposed 60 day waiting period would be a reasonable waiting period during which property owners and others could consider preservation, restoration, rehabilitation, relocation or other potential alternatives to demolishing historic buildings. There is a demolition permit fee proposed in the amount of \$100. Mr. Parsons stated that a Historic Preservation Ordinance would protect threatened properties or, at the least, document structures prior to being demolished. The ordinance, if adopted, would pertain to buildings 80 years or older. Mr. Phillips advised that the matter will be placed on a future agenda for more discussion and possible introduction of a draft ordinance. Mr. Phillips asked that the draft items be placed on the County’s website.
Economic Develop- ment Agreement	Mr. Baker reviewed a proposed Agreement between the State of Delaware and Sussex County whereby the County would coordinate with the State the possibility of expediting applications for economic development projects. Mr. Baker advised that this was requested by the Deputy Legal Counsel for the Governor, Cleon Cauley. He stated that the purpose of the Agreement is to minimize barriers during major expansions in Delaware. The State

Economic Development Agreement (continued)	<p>and County recognize that an important part of economic development strategies is to have strong, proactive, economic development staff identifying and pursuing opportunities to grow existing businesses and to attract new businesses. This is envisioned to be used for major projects that have a large economic impact on the County and not for small business projects or developments. In accordance with the Agreement, the Sussex County Administrator would serve as a liaison to the State of Delaware's Economic Development Ombudsperson. Mr. Baker stated that the goal of this proposal is to make the approval process easier for businesses that provide long term, continuing employment type jobs and to enable prospective businesses to learn of concerns or suggestions regarding their business proposals early in the process. Mr. Baker noted that both the State and County have to agree prior to a project being expedited; applications would be considered on a case-by-case basis.</p>
M 451 09 Approve Memorandum of Agreement/ State of Delaware	<p>A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, that the Sussex County Council approves a Memorandum of Agreement with the State of Delaware to consider expediting County permitting and processes for major economic development projects.</p> <p>Motion Adopted: 4 Yeas, 1 Absent.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Absent; Mr. Vincent, Yea; Mr. Wilson, Yea; Mr. Phillips, Yea</p>
Administrator's Report	<p>Mr. Baker read the following information in his Administrator's Report:</p> <ol style="list-style-type: none"><li data-bbox="391 1215 1443 1362"><p><u>1. Delaware Solid Waste Authority Report for June 2009</u></p><p>As per the attached report, 25,428 pounds of recyclable material was received at the West Complex recycling center during June 2009.</p><li data-bbox="391 1394 1443 1614"><p><u>2. Recovery Zone Facility Bonds</u></p><p>Application forms are being distributed for Recovery Zone Facility Bonds to businesses, banks, and chambers of commerce. The County is accepting applications for these bonds to provide lower cost funding for businesses for capital projects in Sussex County.</p>
Wastewater Agreement	<p>Mr. Godwin presented a Wastewater Agreement for the Council's consideration.</p>
M 452 09 Approve Wastewater	<p>A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 914, that the Sussex</p>

(Attachments to the Administrator's Report are not attachments to the minutes.)

**Agreement/
Timber
Acres** **County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Timber Acres for wastewater facilities to be constructed in Timber Acres, located in the Long Neck Sanitary Sewer District.**

**M 452 09
(continued)** **Motion Adopted: 4 Yeas, 1 Absent.**

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

**Parking
Lot
Proposal** **Mr. Godwin presented a proposal to expand employee and visitor parking by 40 spaces in the vicinity of the Administrative Building in Georgetown. The site of the additional parking area would be on County-owned land at Harris Alley and Cherry Lane, adjacent to the law offices of Tunnell & Raysor. The total cost of constructing the additional 40 parking spaces would be \$190,000. Mr. Godwin noted that this proposal would be the most economical versus other options that have recently been explored, including lots on Race Street and Pine Street.**

Mr. Baker noted that funds have been set aside in the Capital Improvements Budget for the construction of additional parking.

**M 453 09
Proceed
with
Develop-
ment of
Parking
Lot** **A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, that the Sussex County Council instructs staff to move forward with site plan approvals from the Town of Georgetown and the Sussex Conservation District to develop a parking lot on County property located on Harris Alley and Cherry Lane in Georgetown and further, to begin the bid process for this project.**

Motion Adopted: 4 Yeas, 1 Absent.

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

**Public
Hearing/
Ellendale
SSD/
Newdale
Acres** **At 3:50 p.m., a Public Hearing was held to consider extending the boundary of the Ellendale Sanitary Sewer District to include a parcel of land being on the westerly side of County Road 213 (Old State Road) southwest of the Town of Ellendale (Newdale Acres Development, lands of Shipbuilders LLC).**

Annexation **Rob Davis, Utility Planning Division, reported that the area to be added is approximately 66.2 acres; the rezoning for this project was approved by the County Council on May 5, 2009. Overall, the Newdale Acres project proposes 296 residential units on 141 acres.**

Public comments were heard.

Todd Kappel of Ellendale and Delores Price, Mayor of the Town of Ellendale, spoke in support of the annexation; they stated that sewer service would be an economic benefit to the community and the Town.

The Public Hearing was closed.

**M 454 09
Adopt
R 024 09**

A Motion was made by Mr. Vincent, seconded by Mr. Wilson, to Adopt Resolution No. R 024 09 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE ELLENDALE SANITARY SEWER DISTRICT (ELSSD) TO ENCOMPASS A CERTAIN PIECE, PARCEL, OR TRACT OF LAND BEING ON THE WESTERLY SIDE OF COUNTY ROAD 213, SOUTHWEST OF THE TOWN OF ELLENDALE, SITUATE SOUTHWEST OF THE TOWN OF ELLENDALE AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE”.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Public
Hearing/
Ellendale
SSD/
Ingram
Village
Annexation**

At 4:00 p.m., a Public Hearing was held to consider extending the boundary of the Ellendale Sanitary Sewer District (ELSSD) to include a portion of a parcel of land along the Penn Central Railroad right-of-way, north of the Town of Ellendale (Ingram Village - lands of E. Dale Wheatley and Douglas R. Simpson).

Rob Davis, Utility Planning Division, reported that the area to be added is approximately 3.34 acres and that the rezoning for this parcel was approved by the County Council on October 14, 2008. Overall, the Ingram Village project proposes 405 residential units on 102 acres.

Public comments were heard.

Robert Stickels of George Miles & Buhr and Dolores Price, Mayor of the Town of Ellendale, spoke in support of the proposal.

The Public Hearing was closed.

**M 455 09
Adopt
R 022 09**

A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to Adopt Resolution No. R 022 09 entitled “A RESOLUTION TO EXTEND THE BOUNDARY OF THE ELLENDALE SANITARY SEWER DISTRICT (ELSSD) TO INCLUDE A PORTION OF A PARCEL OF LAND ALONG THE PENN CENTRAL RAILROAD RIGHT-OF-WAY (ROW) NORTH OF THE TOWN OF ELLENDALE AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, DELAWARE”.

Motion Adopted: 4 Yeas, 1 Absent.

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

MOU

William Lecates, Brad Whaley, and Brandy Bennett of the Community Development and Housing Division were present to provide an update on the Neighborhood Stabilization Program. Sussex County received \$2 million in Neighborhood Stabilization Funds to be used to help reduce the number of foreclosed homes in the County.

**MOU/
Habitat
for**

**Humanity
(continued)**

Mr. Whaley reviewed a proposed Memorandum of Understanding with Sussex County Habitat for Humanity. Of the \$2 million the County received, 25 percent or \$500,000 must be used to assist households with incomes less than 50 percent of Area Medium Income levels and Sussex County Habitat for Humanity has agreed to work with the County to assist this income group.

Mr. Whaley explained that the County is working with four partners: Sussex County Realtors Association, Diamond State Community Land Trust, Milford Housing, and Sussex County Habitat for Humanity and that the County is in the process of drafting Memorandums of Understanding (MOU) with these partners. Mr. Whaley outlined the County's proposed MOU with Habitat for Humanity (Habitat) for the NSP Program. In accordance with the MOU, the Community Development Office will loan Habitat up to \$125,000 (per house) to purchase and rehab foreclosed housing in one of the target areas: Seaford, Laurel, Milford, Georgetown and Greenwood. Habitat will buy the homes, rehab them and place qualifying families who have accumulated enough sweat equity through their self-help program into the homes. Upon the sale of the homes to a qualified family, the first loan will be converted into a 0% interest mortgage (which is Habitat's standard model) that Habitat will service for the next 30 years. Habitat will reimburse the County annually with the funds they receive through mortgage payments on NSP homes (less reasonable administration fees). The funds received by the County will be placed into an account to be reused specifically for related housing activities, such as rehabilitation or down-payment / closing cost assistance. Habitat will have the option to apply to the County to retain these funds and reuse them for approved housing programs.

**M 456 09
Authorize
MOU
with
Habitat
for
Humanity/
NSP**

A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, that the Sussex County Council authorizes an Agreement (Memorandum of Understanding) with Sussex County Habitat for Humanity to acquire rehabilitated homes through the Neighborhood Stabilization Program.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Proposal
to Declare
Woodlands
of Millsboro
SSD
(continued)**

John Ashman, Director of Utility Planning, presented a Proposed Resolution declaring the Woodlands of Millsboro Sanitary Sewer District. He reported that on June 25, 2009, eligible voters approved the creation of the District by a vote of 40 for the District and 1 against the District. The Woodlands of Millsboro is a 57-lot subdivision.

Mr. Ashman presented a Proposed Resolution which will allow the County Engineer and the County Attorney to procure necessary lands and right-of-ways by purchase agreement and/or condemnation.

**M 457 09
Adopt
R 023 09**

A Motion was made by Mr. Deaver, seconded by Mr. Vincent, to Adopt Resolution No. R 023 09 entitled “WOODLANDS OF MILLSBORO SANITARY SEWER DISTRICT DECLARED UNDER THE PROVISIONS OF TITLE 9, CHAPTER 65, OF THE DELAWARE CODE”.

Motion Adopted: 4 Yeas, 1 Absent.

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

**Airpark
Fire
Protection
System
Upgrade**

Julie Cooper, Project Engineer, presented a Balancing Change Order and request for Substantial Completion for the Airpark Fire Protection System Upgrade. The reasons for the proposed Change Order, in the amount of \$3,611.30, is differing site conditions, design changes, and adjusting quantity. More specifically, the Change Order is for additional surveying and (3) six-inch valves in order that another contractor could tie in to the system for the GAC Filtration Project and repairs were required on the existing 6 inch domestic water main on Baltimore Avenue as the existing pipe came apart at the locations where the contractor was to connect the new water main.

**M 458 09
Approve
Change
Order and
Grant
Substantial
Completion/
Airpark
Fire
Protection
System
Upgrade**

A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Council grant Substantial Completion, effective July 28, 2009, to Southern Builders, Inc., of Salisbury, Maryland, for Sussex County Project No. 03-07, Airpark Fire Protection System Upgrade, and further, that Balancing Change Order No. 3 be approved in the amount of \$3,611.30, thereby increasing the Contract amount from \$2,831,941.88 to \$2,835,553.18, and that final payment be made and any retainage be released in accordance with the terms and conditions of the contract documents.

Motion Adopted: 4 Yeas, 1 Absent.

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

Requests	Mrs. Webb presented grant requests for the Council’s consideration.
M 459 09 Community Grant M 459 09 (continued)	<p>A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to give \$4,500.00 (\$1,000.00 each from Mr. Phillips’, Mr. Cole’s, Mrs. Deaver’s, and Mr. Vincent’s Community Grant Accounts and \$500.00 from Mr. Wilson’s Community Grant Account) to Ravens Music Boosters, Inc. for the Marching Band’s participation in the New York City 90th Veterans Day Parade and the Gator Bowl in Jacksonville, Florida.</p> <p>Motion Adopted: 4 Yeas, 1 Absent.</p>
M 460 09 Defer Action on Grant Request	<p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Absent; Mr. Vincent, Yea; Mr. Wilson, Yea; Mr. Phillips, Yea</p> <p>A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to defer action on the grant request from the Seashore Striders.</p> <p>Motion Adopted: 4 Yeas, 1 Absent.</p> <p>Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Absent; Mr. Vincent, Yea; Mr. Wilson, Yea; Mr. Phillips, Yea</p>
Introduction of Proposed Ordinance	<p>Mrs. Deaver introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BUSINESS AND PROFESSIONAL OFFICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.711 ACRES, MORE OR LESS” (Conditional Use No. 1848) filed on behalf of Todd Bariglio.</p> <p>There was no additional business.</p>
M 461 09 Recess	<p>At 4:22 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to recess until 6:00 p.m. Motion Adopted by Voice Vote.</p>
Reconvene	<p>Mr. Phillips called the Council back into session at 6:00 p.m.</p>
Public Hearing (C/Z No. 1652)	<p>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 B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 25,000 SQUARE FEET, MORE OR LESS” (Change of Zone No. 1652) filed on behalf of Elena Padrell.</p>

The Planning and Zoning Commission held a Public Hearing on this application on July 9, 2009 at which time they recommended that the application be denied.

(See the minutes of the meeting of the Planning and Zoning Commission dated July 9, 2009.)

Public
Hearing
(C/Z
No. 1652)
(continued)

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing.

Dr. Elena Padrell was present with Heidi Balliet, Attorney. They stated that they are seeking approval for general business and professional offices; that Dr. Padrell proposes to operate her own doctor's office; that the dwelling is currently a residence for the Applicant, which she has owned since 2003; that she is proposing to convert the existing dwelling on the property into a doctor's office; that a doctor's office is considered a permitted use in a B-1 Neighborhood Business District; that Dr. Padrell is a licensed Psychiatrist who collaborates with Beebe Hospital as a consultant; that the predominant use of the general vicinity is business-type uses; that there are three B-1 uses in the area and five conditional uses; that there are also numerous other properties within the immediate area that have conditional uses, B-1 zoning or C-1 zoning; that some of the other area uses include medical offices, a bank loan office, a real estate office, law offices, etc.; that sewer is currently connected to the site; that the current EDUs are sufficient for the proposed use; that there is one additional EDU that can be allocated to the site; however, this is not needed ; that DelDOT voiced no objection; that adequate space is available for sufficient parking (5 spaces are proposed); that the proposed use is consistent with other uses in the area; that the trend of the area is moving towards this type of use; that the use proposed will not have an adverse effect on the area; that the size of the site is 25,000 square feet which will limit the type of use; that B-1 zoning is not overly broad to permit other uses that would not be acceptable; and that they feel the Planning and Zoning Commission's decision is an error.

Public comments were heard.

Andrew Malinowski of Rehoboth spoke in opposition to the change of zone to B-1 Zoning. He stated that B-1 Zoning opens the door to undesirable businesses and that he would not object to a Conditional Use for professional uses.

Barbara Vaughn, City of Lewes, spoke in favor of a conditional use over the change of zone to B-1 to maintain a low profile along Savannah Road.

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

M 462 09
Adopt
Ordinance

A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to Adopt Ordinance No. 2075 entitled AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN

**No. 2075
(C/Z
No. 1652)** **AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 25,000 SQUARE FEET, MORE OR LESS” (Change of Zone No. 1652) filed on behalf of Elena Padrell.**

**M 462 09
(continued)** **Motion Adopted: 3 Yeas, 1 Nay, 1 Absent.**

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

**Public
Hearing
(C/Z
No. 1653)** **A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 28.12 ACRES, MORE OR LESS” (Change of Zone No. 1653) filed on behalf of Deerfield Meadows, LLC.**

The Planning and Zoning Commission held a Public Hearing on this application on July 9, 2009 at which time they recommended that the application be approved.

(See the minutes of the meeting of the Planning and Zoning Commission dated July 9, 2009.)

Lawrence Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearing.

Mr. Lank distributed an Exhibit Booklet which was previously provided by the Applicant.

Drew Ward of Deerfield Meadows, LLC and John Murray of Kercher Engineering were present on behalf of the application. They stated that the change of zone is being proposed for a 28 acre parcel located east of Seaford; that the purpose of the change of zone application is to enable a proposed subdivision to be developed with a cluster design because there is currently no cluster design option in the current GR zoning district; that a cluster design will enable this subdivision to have approximately one (1) unit to the acre while maintaining over 30 percent open space, including the entire wooded area to the rear of the parcel; that this application is a down-zoning and they are trying to put the entire parcel into a AR-1 zoning; that the density will be less than the current density allowed in the GR zoning; that instead of a potential manufactured home community, which is a permitted use in the existing zoning, they are proposing a low density restricted community existing of moderately priced stick built or modular homes that are affordable; that they anticipate land/home packages being in

the \$159,000 - \$199,000 range; that the homes will be consistent with the ones currently existing in the local neighborhood; that the application has been through the TAC and PLUS processes and modifications have been made to the plan based on comments received; that they have a Statement of Feasibility from DNREC and a Letter of No Objection to DelDOT; and that AR-1 zoning will maintain the integrity of the area.

(continued) There were no public comments and the Public Hearing was closed.

M 463 09
Adopt
Ordinance
No.2076
(C/Z
No. 1653)

A Motion was made by Mrs. Deaver, seconded by Mr. Vincent, to Adopt Ordinance No. 2076 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 28.12 ACRES, MORE OR LESS” (Change of Zone No. 1653) filed on behalf of Deerfield Meadows, LLC.

Motion Adopted: 4 Yeas, 1 Absent.

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

M 464 09
Adjourn

A Motion was made by Mr. Vincent, seconded by Mrs. Deaver, to adjourn at 6:38 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,

Robin A. Griffith
Clerk of the Council