

SUSSEX COUNTY COUNCIL, GEORGETOWN, DELAWARE, MARCH 27, 2001

Call to Order      The regular meeting of the Sussex County Council was held Tuesday, March 27, 2001, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Dale R. Dukes.	President
Finley B. Jones Jr.	Vice President
George B. Cole	Member
Vance Phillips	Member
Lynn J. Rogers	Member
Robert L. Stickels	County Administrator
David Baker	Finance Director
Dennis Schrader	Assistant County Attorney

The meeting was opened by repeating the Lord's Prayer and Pledge of Allegiance to the Flag.

M 162 01      A Motion was made by Mr. Jones, seconded by Mr. Rogers, to approve  
Approve      the Agenda, as distributed.  
Agenda

Motion Adopted: 5 Yea.

Vote by Roll Call:    Mr. Phillips, Yea; Mr. Cole, Yea;  
                                 Mr. Rogers, Yea; Mr. Jones, Yea;  
                                 Mr. Dukes, Yea

M 163 01      A Motion was made by Mr. Phillips, seconded by Mr. Jones, to approve  
Approve      the minutes of the March 20, 2001 meeting, as distributed.  
Minutes

Motion Adopted: 5 Yea.

Vote by Roll Call:    Mr. Phillips, Yea; Mr. Cole, Yea;  
                                 Mr. Rogers, Yea; Mr. Jones, Yea;  
                                 Mr. Dukes, Yea

Corre-      Mr. Bayard read the following correspondence:  
spondence

STATE OF DELAWARE, DEPARTMENT OF NATURAL  
RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF  
SOIL AND WATER CONSERVATION, DOVER, DELAWARE.  
RE: DNREC Sediment and Stormwater Management Contractor  
Certification Program.

M 164 01  
Authorize  
Executive  
Session

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to authorize an Executive Session to be held on Tuesday, April 3, 2001, beginning at 9:00 a.m., for the purpose of discussing land acquisition.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Subdivision  
Addressing  
Appeal  
Process

Mr. Norwood, Supervisor of Information Systems, presented a proposed procedure that would allow property owners in subdivisions to (1) keep their current addressing, and (2) appeal decisions if the subdivision is not approved to keep their existing addresses. The appeals process would apply only to changed road names within subdivisions, not to road name changes in “non-subdivision” areas.

Mr. Norwood reviewed the criteria for people within subdivisions to petition the County to keep the current addressing scheme, as follows:

- Official petition form must be acquired from the Sussex County Addressing Department.
- 100 percent of all lots with and without inhabitable structures must have the data on the petition filled out completely. Any required information not completed may result in a denied application.
- 80 percent of the residents must sign the petition. The purpose of not having 100 percent is to allow for people who may not reside currently at the residence but would like for the petition to be requested.
- Two people must be named as contact persons for the subdivision.

The following guidelines must be met in order to determine if the subdivision meets the qualifications for retaining its current addressing scheme:

- Addresses are to be odd on one side of the street and even on the other side.
- Addresses will be sequential and allow for future development.
- Addresses will not contain letters as prefixes or suffixes.
- Addresses will be to a street or road name.

Subdivision  
Addressing  
Appeal  
Process  
(continued)

- Addresses will be posted on or as near to the residence as to be visible from the street they are addressed to.
- Addresses must be currently assigned to every lot within the currently proposed subdivision.

Mr. Norwood proposed that, if the subdivision is not approved to keep their existing addresses, that the following take place:

- Contact people are notified.
- Official letter informing them of the reasons for not being approved will notify all residents.
- The subdivision may submit a request to appeal the decision to the Addressing Appeals Board.

Council discussed the establishment of an Addressing Appeals Board. It was the consensus of Council that the members of the Board consist of the County Administrator, Director of Assessments, Supervisor of Information Systems, and Director of Emergency Operations.

M 165 01  
Approve  
Criteria/  
Subdivision  
Addressing/  
Establish  
Addressing  
Appeals  
Board

A Motion was made by Mr. Jones, seconded by Mr. Rogers, that the Sussex County Council, having met in public session, approves the criteria for petitioning to keep current addressing within a subdivision and to establish an Addressing Appeals Board, as presented.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Draft  
Ordinance/  
C-1  
Zoning  
District

Council discussed a draft ordinance that would limit the density of residential dwellings in business, commercial, and marine districts to four (4) units per acre. Densities of up to twelve (12) units per acre are currently possible, either as a permitted use or as a conditional use, in those three (3) districts.

Proposed  
Ordinance

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY IN ORDER TO LIMIT THE NUMBER OF RESIDENTIAL DWELLINGS PER UNIT IN B-1 NEIGHBORHOOD BUSINESS DISTRICTS, C-1 GENERAL COMMERCIAL DISTRICTS, AND M MARINE DISTRICTS". The Proposed Ordinance will be advertised for Public Hearing. The Planning and Zoning Commission will hold a Public Hearing on May 10, 2001, and the Sussex County Council will hold a Public Hearing on June 5, 2001.

Draft  
Ordinance  
Relating to  
Subdivisions

Mr. Schrader presented for Council's consideration a draft ordinance amending the County's Subdivision Ordinance. The draft incorporated the changes that were agreed upon by consensus at the March 20, 2001, Council meeting, as follows:

- Corrects a grammatical error in Subsection A.
- Deletes the requirement that all owners in the previously subdivided area consent to proposed alterations or changes.
- Increases the fee for filing to \$300.00 and provides that the subdivider reimburse the County for the costs of any notices, etc.
- Increases the fee for Final Plat to \$10.00 per lot.

Mr. Dukes stated that he does not believe a developer needs consent from property owners to go to a public hearing over a proposed alteration, unless the alteration is to increase density in the subdivision. Mr. Dukes proposed that if density is increased, then the consent of not less than 51 percent of the property owners be required.

Mr. Cole stated that he believes the 51 percent figure should apply to any proposed change – density, moving amenities, combining lots, change in uses, etc...

Mr. Phillips asked Council to consider changing the requirement for developers to provide "documented evidence" of their attempt to contact property owners to "good faith effort".

Mr. Schrader suggested that the Planning & Zoning staff send notices, by certified mail, regarding proposed changes to all property owners with the developer reimbursing the County for the costs associated with the mailing.

It was the consensus of Council that Mr. Schrader amend the Draft Ordinance, as follows:

- If density is increased, the consent of not less than 51% of the property owners be required prior to a public hearing being scheduled.
- Requests for proposed alterations or changes would not require 51% of the property owners but would go to public hearing.
- The Planning and Zoning staff would send out notices, by certified mail, regarding proposed changes to all property owners with the developer reimbursing the County for all costs.

Draft  
Ordinance  
(continued)

Mr. Schrader was directed by Council to rewrite the draft ordinance incorporating the amendments decided on by consensus of Council, for consideration during the afternoon session.

Adminis-  
trator's  
Report

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

1. Industrial Revenue Bond Application

Sussex County Finance Director David B. Baker has accepted an application from PATS, Inc., to apply for an Industrial Revenue Bond not to exceed \$4.5 million. PATS, Inc., has been a tenant at the Industrial Airpark for over three years. Currently, the business is manufacturing and installing auxiliary fuel tanks for corporate aircraft, as well as performing light maintenance and service for these planes. The purpose of the additional borrowing will be for the construction of another airplane hangar.

A Public Hearing will be held on April 10, 2001, at 9:00 a.m. in the Council Chambers, 2 The Circle, Georgetown, Delaware. The placement of an Industrial Revenue Bond does not impact the County's borrowing power and is not a liability to the taxpayers.

2. On-Site Wastewater System Construction Report

Included with this report is a copy of an On-site Wastewater System Construction Report. The County Council's Planning and Zoning Department has been asked to withhold the issuance of any certificates of zoning compliance until the Department of Natural Resources and Environmental Control (DNREC) has completed an On-Site Wastewater System Construction Report. This is a change in past policy. The request for inspection must be submitted within ten days of the completion of the project.

The Zoning Department has notified DNREC that we will comply with this requirement.

3. Sussex County/Delaware Department of Transportation Joint Workshop

A reminder that on Monday, April 2, 2001, the County Council will be conducting a joint workshop with Nathan Hayward, Secretary of the Delaware Department of Transportation. The workshop will take place in the Council Chambers starting at 8:30 a.m. An agenda has been included with this report. The workshop will be open to the public, and general comments will be taken at 4:15 p.m.

Old  
Business/  
C/Z  
No. 1420

The County Council discussed Change of Zone No. 1420 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 CERTAIN PARCELS OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 52.7027 ACRES, MORE OR LESS" filed on behalf of Rehoboth Golf Properties, L.L.C. The Planning and Zoning Commission held a Public Hearing on this application on January 25, 2001; on March 1, 2001, the Commission recommended approval of the application. The County Council held a Public Hearing on this application on February 13, 2001; on February 20, 2001, the County Council reopened the Public Hearing on this application.

M 166 01  
Adopt  
Ordinance  
No. 1438

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1438 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 CERTAIN PARCELS OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 52.7027 ACRES, MORE OR LESS" (Change of Zone No. 1420) filed on behalf of Rehoboth Golf Properties, L.L.C., with the following conditions:

- 1) The final site plan shall be limited to single-family detached units on separate lots. No multi-family units shall be allowed within the RPC. The maximum number of single-family lots shall be 125.
- 2) A 50-foot wide buffer shall be provided and maintained along County Road 273.
- 3) The applicant shall maintain a 50-foot wide easement along lands, now or formerly, of Geraldine Marsh to the east of the property for so long as those lands remain in agricultural use.
- 4) A 50-foot wide easement, as shown on the conceptual plan, to be maintained by the Homeowners Association, shall be imposed along the boundary of Silver View Farms Mobile Home Park for as long as Silver View Farms Mobile Home Park property is operated as a manufactured housing community.
- 5) The applicant shall be required to impose restrictions within the Wetlands Conservation Area for all lots along Johnson Branch as contained in the draft Restrictive Covenants submitted during the public hearing process as follows:

M 166 01  
(continued)

Limited Use. The area shown on the Record Plan as "Wetlands Conservation Area" is excluded from the Common Area and shall be sold to third parties as a limited use area and any Owner of such area shall:

- (a) Prevent any use of the area that will or would impair or interfere with the conservation value of the area.
- (b) Allow the existing vegetation to grow to maturity and remain in such condition in perpetuity.
- (c) Unless otherwise authorized by a United States Army Corps. of Engineers Permit, the Owner shall not perform on his own nor grant permission or authorize any person within, upon, under or above the Wetlands Conservation Area to perform any of the following:
  - (i) Discharge any dredged, fill, or excavated materials; and/or
  - (ii) Construct, place or maintain any buildings, roads, signs, billboards, or other advertising; or construct, place, or maintain any other structure or work under, on, or above the ground within the Wetlands Conservation Area ; and/or
  - (iii) Dump, place, or introduce soil, trash, waste or other substances or materials; and/or
  - (iv) Excavate, dredge, or remove loam, peat, gravel, soil, rock, or other material.
- 6) Upon completion of construction of the roads, any existing fence separating the parcel and Silver View Farms Mobile Home Park shall be removed at the cost of the applicant. Concurrently with the removal of the fence, there shall be screening trees planted based on a plan approved by the Sussex County Planning and Zoning Commission as part of it's final site plan approval to provide a visual screen for Silver View Farms Mobile Home Park in the 50-foot easement.
- 7) All easements and buffers required by these stipulations shall be maintained by the Homeowners Association and not by individual lot owners.
- 8) The applicant shall be required to install a Bus Stop and any sidewalk along County Road 273, in accordance with the requirements of the Delaware Department of Transportation

M 166 01  
(continued)

- (DelDOT), and to complete the required improvements in accordance with the time limitations imposed by DelDOT.
- 9) The RPC shall be served by the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.
  - 10) The RPC shall be served by a central water system providing water for consumption and fire protection per applicable regulations and approvals of the State Department of Natural Resources and Environmental Control (DNREC), the State Fire Marshal, the Public Service Commission, and Public Health.
  - 11) Any existing non-potable wells located on the property shall not be converted to potable wells, unless approved by the State DNREC.
  - 12) The applicant shall install any landscaping required by the final site plan approval granted by the Sussex County Planning and Zoning Commission before the sale of the last 25 percent of the lots.
  - 13) Stormwater management and erosion and sediment control shall equal or exceed all applicable State or County regulations.
  - 14) The applicant shall establish "best management practices" in regard to maintenance and protection of non-tidal wetlands. The applicant shall file a nutrient management program with the appropriate agencies.
  - 15) The applicant shall be required to commence construction of the clubhouse, pools and tennis courts prior to entering into contracts to sell the last 50 percent of the lots, and to complete construction within one year of commencement.
  - 16) No site preparation, site disturbance, excavation, or other construction shall be commenced until all other permits required by all other laws, ordinances, rules or regulations shall have been issued and the approved final site plan is recorded.
  - 17) The applicant shall be required to commence all other improvements approved by the Sussex County Planning and Zoning Commission's final site plan for all other common areas prior to the sale of the last 25 percent of the lots, and to complete the construction within 180 days of commencement.
  - 18) The applicant shall be required to place Restrictive Covenants on the property to maintain the property as a single-family residential community consistent with the general zoning patterns which

M 166 01  
(continued)

have been established for lands lying along County Road 273, west of the eastern boundary of the lands currently devoted for use as the Golf Park at Rehoboth.

- 19) Property addressing of the RPC shall be submitted to the County Addressing Division for review and approval.
- 20) The final site plan shall be subject to final approval by the Sussex County Planning and Zoning Commission.

Motion Adopted: 4 Yea, 1 Abstention.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Abstained; Mr. Jones, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The Council found that the change of zone was appropriate legislative action based on the following findings of fact:

- 1. The proposed use is consistent with the West Rehoboth Planning Study.
- 2. With the conditions imposed, there will be no adverse impact of any sort.
- 3. The proposed use is compatible to surrounding neighborhoods and consistent with the MR zoning of the area.
- 4. The proposed use promotes the health, safety, and morals of the present and future inhabitants of Sussex County.
- 5. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Proposed  
Airport  
Terminal  
Building/  
Bid  
Results

Mr. Sapp, Project Engineer, and Mr. Izzo, County Engineer, discussed the bid results for the construction of the Proposed Airport Terminal Building. This was the second bid opening for this project; all of the bids were rejected following the first bid opening in January, 2001.

Mr. Sapp reviewed the current bid tabulation for the bid opening on March 22, 2001, as follows:

Bidder	Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3	Total
J. A. Moore & Sons, Inc. Rehoboth Beach, DE	\$ 887,709	\$45,909	-\$10,000	-\$11,760	\$ 911,858

Proposed  
Airport  
Terminal  
Building/  
Bid  
Results  
(continued)

Bidder	Alternate Base Bid	Alternate No. 1	Alternate No. 2	Alternate No. 3	Total
The Whayland Co. Salisbury, MD	\$1,016,000	\$39,850	-\$10,000	-\$12,900	\$1,032,950
CMSI, Inc. Delmar, DE	\$1,037,400	\$40,400	-\$11,000	-\$13,000	\$1,053,800

The Architect's estimate for this project was \$1,037,300.00.

Mr. Izzo reported that the County Engineering Department is recommending that the bid submitted by J. A. Moore & Sons, Inc. be rejected. He read into the record a letter from French & Ryan reviewing the summary of events surrounding the actual bid opening. The letter states that J. A. Moore contacted French & Ryan on March 22nd, approximately one hour before the bid time. They stated that they had not received Addenda No. 5 and No. 6. French & Ryan immediately faxed these addenda to J. A. Moore and contacted the printing company. The printing company stated that the addenda were faxed to J. A. Moore earlier in the week. The County will continue to investigate to try and obtain documentation that they were faxed to J. A. Moore.

J. A. Moore's base bid was \$887,709, which was \$128,291 lower than the second bidder, The Whayland Co.

J. A. Moore contacted the County on March 23rd, the day after the bid opening, stating that they were withdrawing their bid since they did not receive Addenda No. 5 and No. 6 prior to the bid opening. It is the County's belief that J. A. Moore discovered a major bid error on their part and they are using the addenda issue as an excuse to withdraw their bid.

Mr. Izzo advised that the County Engineering Department recommends that the bid of J. A. Moore & Sons, Inc. be rejected and the contract be awarded to the next lowest bidder, The Whayland Co.

M 167 01  
Award  
Bid/  
Proposed  
Airport  
Terminal  
Building

A Motion was made by Mr. Rogers, seconded by Mr. Jones, based upon the recommendation of the Sussex County Engineering Department, that Sussex County Project No. 98-04, Sussex County Airport Terminal Building, be awarded to the lowest responsive bidder "The Whayland Company, Inc., at the bid amount of \$1,032,950.00, which considers the base bid with the inclusion of Alternate Bid Nos. 1, 2, and 3.

Motion Adopted: 4 Yea, 1 Abstention.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Abstained

FEMA  
and DEMA/  
Flood  
Program

Mr. Izzo referred to the grants accepted by the County from the Federal Emergency Management Agency (FEMA) and the Delaware Emergency Management Agency (DEMA) for a program to raise 14-15 homes in Sussex County. This is a grant program whereby FEMA and DEMA pay 75 percent of the costs associated with the project; the homeowners pay the remaining 25 percent.

Mr. Izzo advised that satisfactory progress has not been made on the project. Although the County has executed an agreement with Baker, Ingram Associates to complete the designs, the County does not have the personnel to get the project done in a timely manner. The County has approached FEMA and DEMA requesting a grant amendment, which would cover the costs of bringing in a consultant to assist the County with various administrative duties. The value of this consulting work, based on a proposal submitted by Soule & Associates, would be \$32,900.

Mr. Izzo further advised that, in executing the design contract the County will incur an additional \$7,000 in costs. These additional costs are a result of FEMA and DEMA changing the flood designations on a number of the homes and some of the homes will now have to be put on pilings.

M 168 01  
Amend  
FEMA  
Grant/  
Flood  
Program

A Motion was made by Mr. Rogers, seconded by Mr. Jones, based upon the recommendation of the County Engineering Department, that an amendment to our existing FEMA grant be accepted in the amount of \$29,392, which considers additional costs of \$39,190 resulting from increased design costs and consulting services to assist with administrative duties.

Motion Adopted: 4 Yea, 1 Abstention.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Abstained;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

M 169 01  
Approve  
Agreement/  
Soule &  
Associates

A Motion was made by Mr. Rogers, seconded by Mr. Jones, based upon the recommendation of the County Engineering Department, that an agreement with Soule & Associates, P.C. be approved in the not to exceed amount of \$32,900 to provide consulting services for the project(s) to raise houses to meet minimum FEMA 100-Year flood elevations.

Motion Adopted: 4 Yea, 1 Abstention.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Abstained;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Wastewater Facilities/  
Canal  
Corkran

Mr. Baker, Utility Engineering Department, discussed wastewater facilities to be constructed in Canal Corkran, located in the West Rehoboth Sanitary Sewer District. Mr. Cole questioned the \$0 figure listed under "System Connection Charges" on the fact sheet. It was confirmed that there are System Connection Charges for the project.

M 170 01  
Execute  
Agreements/  
Canal  
Corkran

A Motion was made by Mr. Jones, seconded by Mr. Cole, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 210, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Canal Corkran, L.L.C., for wastewater facilities to be constructed in Canal Corkran, located in the West Rehoboth Sanitary Sewer District, contingent on clarification of the System Connection Charges by the County Administrator.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Proposed Ordinance

Mr. Jones introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GUMBORO HUNDRED, SUSSEX COUNTY, CONTAINING 6.35 ACRES, MORE OR LESS" (Conditional Use No. 1404) filed on behalf of Dwayne Snyder. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance

Mr. Rogers introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR OFFICES AND WOODSHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.26 ACRES, MORE OR LESS" (Conditional Use No. 1405) filed on behalf of Michael G. McCarthy. The Proposed Ordinance will be advertised for Public Hearing.

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 WELDING AND GENERAL REPAIR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GUMBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.039 ACRES, MORE OR LESS" (Conditional Use No. 1406) filed on behalf of James L. Perdue. The Proposed Ordinance will be advertised for Public Hearing.

- Proposed Ordinance Mr. Dukes introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 18.09 ACRES, MORE OR LESS” (Change of Zone No. 1435) filed on behalf of Great South Beach Improvement Co. The Proposed Ordinance will be advertised for Public Hearing.
- M 171 01 Recess At 12:10 p.m., a Motion was made by Mr. Phillips, seconded by Mr. Jones, to recess and go into Executive Session. Motion Adopted by Voice Vote.
- Executive Session At 12:15 p.m., an Executive Session of the Sussex County Council was held in the Second Floor Conference Room, Sussex County Administrative Office Building, for the purpose of discussing personnel.
- Recess At 1:30 p.m., the Executive Session concluded and the regular meeting was recessed.
- Reconvene At 1:40 p.m., Mr. Dukes called Council back into session.
- Public Hearing (C/U No. 1388) 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 TO OPERATE RETAIL AND WHOLESALE RACING PARTS AND ASSEMBLE RACE CARS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 26,150 SQUARE FEET, MORE OR LESS” (Conditional Use No. 1388) filed on behalf of Advanced Motorsports, Inc. The Planning and Zoning Commission held a Public Hearing on this application on March 8, 2001, at which time they recommended approval with the following stipulations:
1. Business hours shall be limited to 10:00 a.m. to 6:00 p.m. Monday through Thursday; 10:00 a.m. to 5:00 p.m. on Fridays; and 10:00 a.m. to 2:00 p.m. on Saturdays. There shall be no Sunday hours.
  2. There shall be no outside storage.
  3. There shall be no automotive work performed outside of the building.
  4. There shall be no signage.
  5. There shall be no motor work or welding.

Public  
Hearing  
(continued)

6. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

The record of the Planning and Zoning Commission's Public Hearing was incorporated into the record of this Public Hearing.

Mr. Dukes recommended that Stipulation Nos. 3 and 5 be amended to permit welding inside of the building.

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

M 172 01  
Adopt  
Ordinance  
No. 1439

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1439 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO OPERATE RETAIL AND WHOLESALE RACING PARTS AND ASSEMBLE RACE CARS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 26,150 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1388) filed on behalf of Advanced Motorsports, Inc., with the following stipulations:

1. Business hours shall be limited to 10:00 a.m. to 6:00 p.m. Monday through Thursday; 10:00 a.m. to 5:00 p.m. on Fridays; and 10:00 a.m. to 2:00 p.m. on Saturdays. There shall be no Sunday hours.
2. There shall be no outside storage.
3. There shall be no automotive work or welding performed outside of the building.
4. There shall be no signage.
5. There shall be no motor work.
6. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

Findings  
of Fact  
(continued)

1. The applicant established that the proposed use, with the conditions imposed, will have minimal impact on the neighborhood.
2. The applicant established that the proposed use is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public  
Hearing  
(C/U  
No. 1389)

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 AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.0 ACRES, MORE OR LESS" (Conditional Use No. 1389) filed on behalf of William H. Groton, III. The Planning and Zoning Commission held a Public Hearing on this application on March 8, 2001, at which time they recommended approval, with stipulations. The record of the Planning and Zoning Commission's Public Hearing was incorporated into the record of this Public Hearing.

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

M 173 01  
Adopt  
Ordinance  
No. 1440

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to Adopt Ordinance No. 1440 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.0 ACRES, MORE OR LESS" (Conditional Use No. 1389) filed on behalf of William H. Groton, III., with the following stipulations:

1. One unlighted sign, not exceeding 32 square feet per side or facing, may be permitted.
2. Business hours shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday.
3. There shall be no car sales on site.
4. There shall be no cars stored in front of the building.
5. Security lighting shall be directed away from neighboring properties and Road 483.
6. Disposal of all petroleum products and other hazardous materials shall be per appropriate environmental regulations.

M 173 01  
(continued)

7. The site plan shall be subject to review and approval by the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established that the proposed use, with the conditions imposed, will have minimal impact on the neighborhood in terms of traffic, noise, or effect on the environment and will tend to serve the community need, consistent with the purposes and goals of the Comprehensive Land Use Plan.
2. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public  
Hearing  
(C/U  
No. 1390)

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 SPA AND POOL RETAIL STORE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 18,109 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1390) filed on behalf of Stephen L. Wallo. The Planning and Zoning Commission held a Public Hearing on this application on March 8, 2001, at which time they recommended that the application be denied. The record of the Planning and Zoning Commission's Public Hearing was incorporated into the record of this Public Hearing.

Public comments were heard in support of the application. There were no public comments in opposition to the application. The Public Hearing was closed.

M 174 01  
Adopt  
Ordinance  
No. 1441

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1441 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SPA AND POOL RETAIL STORE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 18,109 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1390) filed on behalf of Stephen L. Wallo, with the following conditions:

M 174 01  
Adopt  
Ordinance  
No. 1441  
(continued)

1. Applicant shall be required to obtain a commercial entrance permit.
2. There shall be no delivery by tractor-trailers to the site.
3. Hours of operation shall not exceed 8:00 a.m. to 6:00 p.m. Monday through Sunday.
4. The residential character of the structure shall be maintained.
5. The site shall be limited to the sale of spas, hot tubs, pool supplies, chemicals, and related items, and service.
6. No additional building shall be constructed on the site.
7. One illuminated sign may be placed on site not exceeding 32 square feet per side or facing.
8. The site plan shall be subject to the review and approval by the Planning and Zoning Commission.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The Council found that the conditional use was appropriate legislative action based on the following findings of fact:

1. The applicant established that the character of the neighborhood has changed and is predominantly commercial, and that the area is no longer suitable for residential use.
2. The applicant established that the change of zone is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The applicant established that the site is located within a Development District.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public  
Hearing  
(C/Z  
No. 1425)

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

Public  
Hearing  
(C/Z  
No. 1425)  
(continued)

COUNTY, CONTAINING 2.1 ACRES, MORE OR LESS” (Change of Zone No. 1425) filed on behalf of David and Karen Greenhaugh. The Planning and Zoning Commission held a Public Hearing on this application on March 8, 2001, at which time they recommended that the application be approved. The record of the Planning and Zoning Commission’s Public Hearing was incorporated into the record of this Public Hearing.

Public comments were heard in opposition to the application. The Public Hearing was closed.

M 175 01  
Adopt  
Ordinance  
No. 1442

A Motion was made by Mr. Jones, seconded by Mr. Cole, to Adopt Ordinance No. 1442 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 2.1 ACRES, MORE OR LESS” (Change of Zone No. 1425) filed on behalf of David and Karen Greenhaugh.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The Council found that the change of zone was appropriate legislative action based on the following findings of fact:

1. The change of zone will have no adverse impact on the surrounding area.
2. The applicant established that the property has a history of commercial activity and that this application is for an extension of an existing commercial use.
3. The applicant established by substantial evidence that the proposed use will have no impact of any sort and is not inconsistent with the Comprehensive Land Use Plan.
4. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Public  
Hearing  
(C/Z  
No. 1426)

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-1 GENERAL COMMERCIAL

Public  
Hearing  
(C/Z  
No. 1426)  
(continued)

DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.54 ACRES, MORE OR LESS” (Change of Zone No. 1426) filed on behalf of Walter Wilson. The Planning and Zoning Commission held a Public Hearing on this application on March 8, 2001, at which time they recommended that the application be approved. The record of the Planning and Zoning Commission’s Public Hearing was incorporated into the record of this Public Hearing.

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

M 176 01  
Adopt  
Ordinance  
No. 1443

A Motion was made by Mr. Cole, seconded by Mr. Jones, to Adopt Ordinance No. 1443 entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.54 ACRES, MORE OR LESS” (Change of Zone No. 1426) filed on behalf of Walter Wilson.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea;  
Mr. Rogers, Yea; Mr. Jones, Yea;  
Mr. Dukes, Yea

Findings  
of Fact

The Council found that the change of zone was appropriate legislative action based on the following findings of fact:

1. The applicant established that the site is located within a Development District and adjacent to a C-1 Commercial District owned by the applicant.
2. The applicant established that the change of zone is consistent with the purposes and goals of the Comprehensive Land Use Plan.
3. The findings of fact and recommendations of the Planning and Zoning Commission are incorporated herein.

Subdivision  
Ordinance

Mr. Schrader distributed the amended draft ordinance relating to subdivisions. Council debated the 51 percent consent requirement and the fact that the requirement applies only to density changes.

Proposed  
Ordinance

Mr. Phillips introduced the Proposed Ordinance entitled “AN ORDINANCE AMENDING CHAPTER 99, SECTION 13, OF THE SUBDIVISION CODE OF SUSSEX COUNTY, RELATING TO NOTICE REQUIREMENTS FOR PROPOSED ALTERATIONS, RESUBDIVISIONS, OR ADDITIONS OF PREVIOUSLY

Proposed Ordinance (continued)

SUBDIVIDED AND RECORDED PLATS; AND PROVIDING FOR THE PAYMENT OF FEES AND COSTS TO SUSSEX COUNTY". The Proposed Ordinance will be advertised for Public Hearing.

M 177 01 Councilmanic Grant

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$500.00 from Mr. Cole's Councilmanic Account to the Indian River High School Volleyball Boosters to help supplement the girls' volleyball program.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea

Agenda Item

Mr. Cole requested that "Atlantic Coastal Towns – Zoning Concerns" be placed on the April 3, 2001, agenda.

M 178 01 Councilmanic Grant

A Motion was made by Mr. Jones, seconded by Mr. Rogers, to give \$1,000.00, \$200.00 from each Councilmanic Account, to the American Cancer Society for the Relay for Life 2001 fund-raiser.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Phillips, Yea; Mr. Cole, Yea; Mr. Rogers, Yea; Mr. Jones, Yea; Mr. Dukes, Yea

M 179 01 Adjourn

A Motion was made by Mr. Cole, seconded by Mr. Jones, to adjourn at 3:50 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith  
Clerk of the Council

PUBLIC WORKSHOP

SUSSEX COUNTY COUNCIL

DELAWARE DEPARTMENT OF TRANSPORTATION

APRIL 2, 2001

A Joint Workshop was held between the Sussex County Council and the Delaware Department of Transportation on Monday, April 2, 2001, at 8:30 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware.

The following were present from Sussex County:

Dale R. Dukes.	President
Finley B. Jones, Jr.	Vice President
George B. Cole	Member
Vance Phillips	Member
Lynn J. Rogers	Member
Robert L. Stickels	County Administrator
Eugene Bayard	County Attorney
Lawrence Lank	Director of Planning and Zoning
Frank Calio	Director of Economic Development
Joe Thomas	Director of Emergency Operations
Shane Abbott	Asst. Director of Planning & Zoning
Betty Collins	Asst. Director of Emergency Operations
Michael Izzo	County Engineer
Russell Archut	Assistant County Engineer
Steve McCabe	Director of Public Works

The Honorable Nathan Hayward III, Secretary of Transportation, was in attendance. The following representatives from DelDOT were also present:

Raymond Harbeson	Chief Engineer
John Gilbert	Director, Highway Operations
Ralph Reeb	Director, Planning
Chao Hu	Director, Pre-Construction
Christine Pochomis	Director, Administration
Ray Miller	Executive Director, DART First State
Chris Bell	Director, FM&B
Charles "Bud" Freel	Director of External Affairs
Dawn Hopkins	External Affairs
Terry Gorlich	Executive Assistant
Allan Redden	Chief Engineer, South District

Also attending were Tom Myers, Federal Highway Administration; Representative Tina Fallon; Representative Clifford Lee; Senator George Bunting; Senator Gary Simpson; Peg Baunchalk, Mayor of Fenwick Island; Joe McHugh, Mayor of Bethany Beach; Sam Cooper, Mayor of Rehoboth Beach; Joseph Demul, Council on Transportation, South Bethany; Terry Pepper, representing the Governor's Office; Gary Downes, representing Senator Carper's Office; Glenn Hudson, Town Manager of Bethany Beach; Gary Taylor, Town Manager of Selbyville; Lynn Bullock, Mayor of Millsboro; Roberta Glenn, City Manager of Delmar; and Dolores Slatcher, City Manager of Seaford.

The Public Workshop was moderated by Secretary Hayward, Mr. Dukes, and Mr. Stickels.

### Transportation Issues - Questions, Concerns and Comments

#### Evacuation Routes

Mr. John Gilbert reported that DelDOT has put together (1) a flow-chart that lays out the coordination between Sussex County, DelDOT, and DEMA in the event an evacuation is necessary, and (2) a map showing the impact of different categories of hurricanes. Mr. Gilbert stated that the next thing that has to be done is for DelDOT to work with Sussex County and DEMA in laying out an evacuation route using reversible lanes and other details related to traffic engineering. Mr. Gilbert advised that the Chief Traffic Engineer has been challenged to work with Sussex County and DEMA to accomplish this.

Mr. Joe Thomas reported that the County met on March 21, 2001 with DelDOT, DEMA, the State Police, and the National Guard to discuss lane reversals during evacuations. DelDOT and DEMA were going to go back to the table and do a map of what areas would be affected by flooding during a hurricane.

Mr. Thomas reported that there is a regional effort taking place between Delaware, Maryland and Virginia to develop a "Delmarva Peninsula" map showing the different evacuation routes throughout the three states.

Mr. Stickels reported that the primary evacuation roads have signage and signs are now being placed on secondary roads. Mr. Thomas advised that some of the original signs that were erected have started to fade and need to be replaced.

Concern was expressed about the incorrect weather reports the County and State receives from the National Weather Service. Mr. Stickels advised that the County receives conflicting reports from Sterling, Virginia and Mt. Holly, New Jersey. Mr. Stickels spoke with Senator Carper regarding this and advised him that there is a need to get the National Weather Service back to the Wilmington Airport.

Secretary Hayward stated that the Department has a meteorologist that tracks storms very closely and works with DelDOT on an hourly basis. Secretary Hayward further stated that he will speak with Governor Minner and advise her that this is something DelDOT would support.

#### SR 1 Lewes to Rehoboth (Grid Study)

Mr. Stickels distributed a Memorandum of Agreement proposed by DelDOT and a Resolution proposed by Councilman Vance Phillips regarding the development of the State Route 1 Grid Program. The Program coverage area runs from Nassau Bridge, near Five Points, to the Lewes and Rehoboth Canal. The Delaware Department of Transportation Capital Improvement Program includes \$25 million over the next six years to plan, design, obtain right-of-ways, and for construction improvements along this corridor.

Secretary Hayward advised that he supports both the Proposed Memorandum of Agreement and the Proposed Resolution. Secretary Hayward acknowledged that the problems along Route One are no longer seasonal; that there is very limited ability to do anything on the main road; and that some (complicated) opportunities exist to build a network of service roads around the main road. The Secretary stated that the grid study is an effort to jointly solve a major problem.

Councilman Rogers expressed the following concerns regarding the Route One Corridor: DelDOT's final jurisdiction on entrance locations; entrance requests which have been denied; and DelDOT's fair market assessment on properties which have been denied access.

Mr. Stickels reviewed the sixteen (16) points outlined in the Proposed Memorandum of Agreement, which have been amended by the County Council.

Secretary Hayward stated that the Department is committed to this Program and agrees to the amendments made by Council (double-underlined in the latest draft document).

It was the consensus of Council that the Memorandum of Agreement be placed on the April 10th County Council Agenda.

#### Transit Issues – Year-Round Transit at the Resorts/Beach Traffic Accommodations

Mr. Ray Miller presented a brief overview of the existing services that the Department currently operates in Sussex County. He reported that DART First State provides inter-county bus service; an extensive paratransit service for the disabled; commuter assistance service; a fixed-route service which consists of three routes and carries approximately 25,000 passengers per year; and a reimbursable partnership program whereby they work with non-profit agencies to provide vans and operating funds.

Mr. Miller stated that, every year they try to make improvements to the resort service. Last year, the major improvement was to establish a new route operating from the park-n-ride lot near Rehoboth Beach to Ocean City, Maryland. He reported that this project was very successful and due to some capacity issues, they will be adding additional trips this coming season. He stated that, this year they will be adding the "Beach Connection" service, a weekend service operating from northern Delaware to the resort area. The "Beach Connection" service plans to offer three (3) round-trips on Saturdays and Sundays and will feature modern and comfortable motor coaches.

Mr. Miller advised that in the Route One Grid Study, another Park-n-Ride Facility is being considered. He acknowledged that if a facility could be provided farther north, than the facility would provide not only parking mitigation but traffic mitigation as well.

Mr. Stickels suggested that parking accommodations may be available at the Sussex County Airport and Delaware Technical & Community College.

Secretary Hayward solicited comments/ideas to get the public to use more transit services.

#### Corridor Preservation and Access Management

Secretary Hayward expressed his philosophy that we need to do something to protect the major routes (Routes 1, 13 and 113) or it will become increasingly more difficult to travel on them. He stated that, if we adopt a policy of protection, we also have to adopt, at the same time, a philosophy of promotion and investment – for every dollar that is invested in the protection of a major corridor, additional investments should be made in a network of service roads to promote growth. The Secretary advised that the Governor's program "Livable Delaware" is built on this philosophy – to identify areas where we want to see growth occur; to focus investment in those areas; but conversely, where we want to see an area preserved and we don't want to support or stimulate growth, to withhold investment from those areas.

Secretary Hayward noted that the programs (Corridor Preservation and Access Management) may have been discussed mostly around the notion of what should be done to prohibit people from being able to develop properties along the major corridors. The Secretary stated that he believes, in conjunction with these two programs, there should be a balancing of the protection of those corridors with the promotion of sites in and around the towns which are intended to be sites for future growth.

Councilman Dukes stated that Council does not disagree with either of these programs; that Council is in favor of preservation and reducing the number of main entrances on main roads; and that Council supports service roads. However, he also stated that DelDOT is denying everything on Route 13; that it is not fair; that DelDOT cannot keep saying "no"; and that a solution has to be found for property owners to obtain access.

Secretary Hayward responded that key areas for growth have to be designated and that there has to be an understanding (case-by-case, town-by-town, section-by-section) where projects are going to be built.

Secretary Hayward emphasized that there is a new administration, a new Governor, a new Secretary, and there are different ideas from the previous administrations. He noted that the best course of action would be for the towns, County, and State to jointly make decisions for a successful solution.

The Secretary stated that "there is no question in my mind that we have not invested as much in Sussex County infrastructure as we need to; we're going to have to do more".

### General Public Comments

#### Mayor Peg Baunchalk

Mayor Baunchalk commented on the evacuation routes and stated that until Route 54 and the evacuation routes are updated, there are concerns about the development that is planned in the area.

Ray Harbeson responded that the Route 54 project is to begin in June, 2001, and will take 1 year and 9 months to complete.

Mayor Baunchalk stated that finding employees for the summer has become a major problem for businesses along the coast. The Mayor stated that there are people outside of the coastal area that would like to work at the beach but there is no mode of transportation for them to get there. The Mayor suggested that a transportation system be developed to provide transportation for people who live further west, enabling them to travel to the coastal area to work.

Ray Miller advised that additional service routes are proposed. He commented that they are trying to build the three fixed routes as the backbone and to use a van service to feed into those routes.

Secretary Hayward suggested a partnership between the State and the businesses at the coast to promote more van-pooling with parking at the airport or the DT&CC parking lot.

Secretary Hayward advised that 15 percent of the transportation budget is for transit, a larger percentage than the 13 percent allocated for highway operations.

#### Preston Dyer, Developer

Mr. Dyer asked for clarification on the impact of the Memorandum of Agreement on (1) whose responsibility will it be to improve roads for projects already in the pipeline, (2) if roads are interior roads within a subdivision and the roads are being earmarked for grid road compliance, then why do roads within subdivisions need to

be built to state specifications when they are carrying local traffic and not through- or regional- traffic, and (3) whose obligation will it be to pay for the roads.

Mr. Dyer referred to Paragraph 13 in the MOA requiring roads in the SR-1 Grid area to be built to State standards. Mr. Dyer expressed concern that there is a need to determine what roads will actually be grid roads, after which it would be reasonable to assess certain obligations for those roads.

Mr. Reeb advised that they have been working with the development community to sort out where buildings should go and where alignments should go. He noted that there is nothing dramatically different that is a result of the study covered by the MOA.

Secretary Hayward explained that the impact of Paragraph 13 of the MOA would be only in the event that the subdivision was to seek dedication and acceptance of the streets by the State.

#### Councilman Cole

Councilman Cole questioned why the State accepts streets in subdivisions as public roads and then has to maintain them.

Secretary Hayward replied that this is required by State law, passed in 1973.

#### Senator Bunting

Senator Bunting agreed with Councilman Cole regarding the State having to take over roads within subdivisions.

Senator Bunting stated that he would like to see this kind of meeting held on a bimonthly basis throughout the year so that the citizenry would have the opportunity to listen and have input.

Senator Bunting stated that he has a lot of constituents that are opposed to the grid concept because they feel that the grid concept is just another scenario where people are going to build along that grid corridor. The Senator stated that he feels the money would be better spent if we worked on getting the service roads along Route One.

Mr. McCabe, Sussex County Director of Public Works, discussed street maintenance in subdivisions. He noted that, generally, when people have problems with maintenance of streets, it falls under the Suburban Community Improvement Program, whereby they petition the County to proceed with a project to bring their streets up to the State's standards.

Rich Collins

Mr. Collins stated that traffic lights do cause congestion and that in the future, congestion will be worse. He expressed his opinion that DelDOT needs to disburse the traffic rather than continually pour it into the same places where there are already problems.

Mr. Collins stated that he “would much rather put up with a little bit of congestion than to do away with the prosperity and opportunity that I’ve seen come here in the last ten years”.

Mr. Collins stated that he feels access management is a “totally artificial, destined to fail, policy that must be totally re-looked at”.

Roberta Glenn, City Manager of Delmar

Ms. Glenn reported that Delmar is very concerned about the lack of funding for their service roads and the timetable. She stated that they have been working on this for five years; that the Town has asked DelDOT to help find a solution; that they want a solution; that they have a plan; and now they need the funding to make the plan in effect.

Mike Tyler, President of Citizens Coalition

Mr. Tyler reported that he, along with members of the Coalition, have pleaded for the County and the State to limit major projects on arterial highways to one entrance and to require access roads.

Mr. Tyler stated that access roads and service roads are confusing and motorists do not know how to utilize them, and that there are no “intuitive” access roads on either side of the highway. He further stated that the Department has taken away a cycling lane and a lane that could be safe as an off-lane, and made a bus lane out of it.

North-South Expressway Study

Secretary Hayward discussed Senator Bunting’s Resolution on a North-South Expressway Study. The Secretary has proposed a feasibility study instead of a definitive alignment study, which could take a long time and cost an enormous amount of money. The feasibility study would “scope the problem” to see where the expressway would go, how much it would cost; and what some of its pluses and minuses might be. The Secretary spoke to Senator Bunting regarding the proposal and the Senator responded favorably to a feasibility study.

The Secretary advised that a group has been formed consisting of representatives for Sussex County, and Ralph Reeb and the planning group supported by their consultants, and the study is underway.

Mr. Reeb advised that the Department has assigned one person (Joe Wutka) to be the manager for the Department on this project and that a committee has been set up. He noted that the Committee has worked through the development of what the scope of work is going to be and at this point, they are moving forward with the expectation that there will be an announcement towards the end of summer as to how this will work.

Mr. Tom Shafer, the County's consultant, reported that two meetings have been held with the committee at which several Councilmembers were present and that they have, very preliminarily, sketched some alignments. Mr. Shafer noted that this is a project that could cost in excess of \$5 million and that it warrants a lot of study due to the cost and the impact it will have on businesses.

Mr. Stickels advised that the people who have been meeting are Bob Ricker, President of SCAT; David Baird, Town Manager of Georgetown; Councilman Dukes; Councilman Jones; and himself. He noted that the Committee is looking at areas/alignments to eliminate and they would like to see a road that would have connections to Route 36 in the Milford area, Route 16 in the Greenwood area, Route 404, Route 24, Route 26, and Route 54.

#### East West Highway (Beach Access)

Secretary Hayward noted that this project has strong support from some constituents and very, very strong opposition from other constituents, and a lot of people in the middle.

Mr. Harbeson reported that the Department performed extensive studies on an east - west highway in the end of the 1980's and 1990; several specific alignments were concluded around the Bridgeville - Georgetown areas. The Department met a lot of public resistance in opposition to a super-highway from Route 404 to the beach area and the preference was to upgrade the two-lane roadways. The Secretary at that time agreed with this concept and the project was stopped to allow improvements of the two-lane roadways along with growth management by the County. Most of the two-lane roadways were upgraded along with shoulder improvements and an alternate by-pass has been provided around Bridgeville. Mr. Harbeson noted that the growth has exceeded expectations and there is still a demand on the roadways by traffic to the beach area and there is still a divided opinion in the towns as to how the problem should be solved.

Mr. Stickels noted that a lot of the people opposing the east - west highway were opposed due to the fact that travelers from the Baltimore-Washington area would benefit more from this highway where the north - south highway concept would benefit the area towns. Mr. Stickels stated that, ideally, if there was funding to do both, it would be a benefit to all; however, if there are limited resources, consideration should be given to what would provide the biggest relief for people who are here the majority of the year.

Secretary Hayward agreed that the Department, County and the towns need to consider where the best opportunities for investment are; however, taking traffic that is heading for the beaches off existing roads will benefit Delawareans. He noted that this was the idea

behind the Route One toll road - to get people who are passing through to the beaches off of Route 13 and returning that route to the local communities.

### Clean Air Act

Mr. Stickels stated that the Clean Air Act will impact the County's ability to add roads and lanes.

Secretary Hayward reported that the State of Delaware is in a Clean Air Non-Attainment Status and that there are six pollutants that the EPA has identified as being "undesirable". Delaware has passed the test on five of those; Delaware has not passed the test on ozone. In compliance with Federal guidelines, Delaware has adopted a series of plans to reduce air emissions: Delaware is looking at (1) point sources (smoke stacks, i.e. stationery sources of emissions), (2) area sources (gas stations, leaf burning), and (3) mobile sources (on-road sources) and off-road mobile sources (boats, chain-saws, lawn mowers, etc.).

The Secretary stated that Delaware has been regulating point sources and area sources. He noted, however, that Delaware has done little to regulate the mobile source; Delaware has basically relied on changes in the design of engines and the composition of gasoline and diesel fuel outside of the State of Delaware. The Secretary stated that each year, since 1990, the air quality in Delaware has improved; however, Delaware has not done enough. Recently, the Supreme Court decided that the EPA has the authority and has a mandate from Congress to continue to impose additional restrictions on states to be able to improve the air quality.

The Secretary advised that by July of this year, Delaware has to be able to demonstrate to the EPA that a mobile plan is in place. By October of this year, Delaware DNREC has to be able to demonstrate that the State as a whole has an acceptable plan which includes all of the sources. Additionally, the State must have less pollution in 2005 than exists today.

The Secretary advised that if Delaware does not comply with the EPA Plan and does not reduce the air pollutants over the designated period of time, the following prohibitions may take place: (1) no support for projects that have regional significance (large projects that will add capacity to the transportation network such as adding to the DART bus fleet and highway projects), and (2) agencies of the federal government (Army Corp of Engineers, Historic and Cultural Affairs) will be prohibited from issuing permits on projects where Federal and/or local money is being used. The Secretary also emphasized that non-compliance would result in serious health issues.

### General Public Comments

#### Mayor Sam Cooper, Rehoboth Beach

Mayor Cooper stated he agrees with the Grid Study; that it will facilitate the development of the areas adjacent to Route One; that he does not think the Grid Study

will offer any real relief to problems on Route One; and that he feels it may help in not creating additional problems as a result of new development.

Mayor Cooper noted that he would like to see the statistics for accidents that occur along Route One; that the Department cites that if there are 29 accidents in three years at a particular intersection, an overpass should be built. He noted that, obviously, overpasses wouldn't work at some intersections along Route One; however, some solution has to be found.

Mayor Cooper questioned whether a traffic light is planned at the intersection of Church Street and Rehoboth Avenue Extended and what, if anything, has been done to mitigate the traffic on Railroad Avenue.

Mr. Redden and Mr. Gilbert will respond to the Mayor's questions.

Mable Granke

Ms. Granke requested that the Department and the County consider the cumulative impact of every project and the environmental aspect of increased growth.

Ms. Granke asked that the following factors/questions be considered:

- Does Plantations Road become a parallel example of Route One?
- Do we want to extend sewer to include that kind of development?
- Do we want the Grid Study to go west of Plantations Road?
- Do we want the Grid Study to "punch" a road on the east side of Route One where there is an extensive stream network, the wells for Rehoboth and Lewes, and a major portion of the Columbia Aquifer?

Ms. Granke expressed concern about the designation of Route One from Nassau to the Maryland line as a multi-modal transportation investment area when problems exist with public transit and the location of sidewalks. Ms. Granke emphasized her opinion that "we are not multi-modal" and that some very important transportation decisions are made based on that designation.

Councilman Jeff Cordiano, Bethany Beach

Mr. Cordiano referred to greenways and parkways as it relates to the air quality issue. Mr. Cordiano suggested that a Parks and Recreation representative be added to the list of people invited to attend the Public Advisory Committee (PAC) meetings that will assist in the coordination of planning issues associated with the preparation of the State Route 1 - Land Use/Transportation Study.

Mayor Joe McHugh, Bethany Beach

Mayor McHugh reiterated Mayor Baunchalk's comments about the difficulties the businesses in the coastal area are having finding employees for the summer months. The Mayor asked the Department to look at establishing a parking lot on State-owned property on Route 360 at Route One; reopening Pine Street off of Route 361 to South Bethany (closed off by court decision); and redesigning the type of transit buses that are used. Mayor McHugh also commented on the air pollution caused by lawn mowers.

City Manager Dolores Slatcher, Seaford

Ms. Slatcher shared information with those present that the DuPont Company will be decreasing their employment by 540 jobs and that there will also be some impact on the direct contractors with DuPont. Ms. Slatcher stated that transportation assistance is needed on the western side. Ms. Slatcher asked the Secretary to work very diligently with the western side of the County in creating some access for other businesses to relocate to the area.

At 11:50 a.m., Mr. Dukes declared a recess for lunch. During the lunch break, a tour of the Sussex County Mobile Command Center was provided.

The Public Workshop resumed at 12:50 p.m.

Current Project Status/Upcoming Construction Projects

Mr. Dukes read an email asking that DelDOT study Routes 26 and 54 from Route 113 to the ocean stating that both are in "dire need" of upgrading because of the increase in summer traffic and construction taking place.

Mr. Redden, Mr. Gilbert, and Mr. Hu discussed the Department's upcoming construction projects:

- Route 26 is on schedule and is to be completed by Memorial Day. The Department has offered an incentive bonus to the contractor to finish the project on schedule.
- The rehabilitation of Route 113, which began last year in Millsboro, will continue down to Road 334 into Dagsboro. Beginning on April 19th, the contractor will close the intersection of Route 113 and Route 24 to the through traffic of Route 24. Temporary signals will go up to facilitate the traffic. The contractor has 30 days to get this intersection built; otherwise, stiff penalties will be assessed. The contractor is to work around-the-clock, if necessary.
- The Circle in Georgetown.
- Milton's Governor's Walk.

- Re-do Mulberry Street in Milton to take care of drainage problems and install sidewalks.
- Milford's enhancement project.
- Greenwood's sidewalk enhancement project.
- Route 24 over-lay project. The last major road with dirt/unpaved shoulders will be paved this year. This contract is taking place right now; Soil Conservation just completed putting drainage pipes in. (The section between Routes 13 and 113 and also the section west of Laurel.) It is anticipated that this project will be completed this year.
- Over-lay of Savannah Road, the section from the cemetery to the beach.
- Bowden's Garage Road.
- Pilottown Road.
- Road 319 to the Emergency Operations Center.
- Road 261, which is part of Bike Route One on which the Department is planning 5 foot shoulders.
- Road 432.
- Route 54 bridge from the existing bridge to the canal at Harpoon Hannah's out to Road 58C. This project is to commence in June, 2001. This consists of the construction of one 2,400-foot bridge and one 1,600-foot bridge with some tie-ins in between.
- Route One from Route 16 down to Nassau (scheduled for after Labor Day).
- Route 30.
- Cedar Avenue in Lewes.
- Route 17, east of Selbyville.
- Route 113 in Milford. (To be completed by Memorial Day.)

(Mr. Redden noted that this is not an all-inclusive list.)

## Construction

Councilman Cole commented on reducing the construction season; that road construction in the coastal area should not be taking place during the period from Easter to Columbus Day.

Councilman Cole commented on the flooding that occurs along Route 26 and expressed that DelDOT should have to abide by the same stringent regulations as a developer has to. Mr. Redden responded that DelDOT also has to comply with the same permitting process as everyone else does.

Mr. Izzo, County Engineer, and Mr. Archut, Assistant County Engineer, provided Secretary Hayward with an Engineering Department Status Report outlining Operations and Maintenance Projects, Sewer and Water Projects, Suburban Community Improvements Projects, Regional Sewer Projects, Planning Studies, and other general projects that are currently planned or underway in Sussex County. Mr. Stickels asked that DelDOT designate a contact person who would receive this report from the County on a monthly basis.

Secretary Hayward commented on DelDOT's commitment to get projects done on time. To accomplish this, he advised that construction on DelDOT-related projects will consist of longer hours, more incentives, and if necessary, more penalties.

Mr. Izzo commented that reducing the construction season, as proposed by Mr. Cole, is difficult because of weather conditions. He noted however that, as the beach season approaches, they are looking at a four-day work week with longer hours and taking Friday out of the construction calendar.

Secretary Hayward commented that one of the major issues that the Department faces in terms of getting timely completion of projects is the dependence on the utility companies to move wires and pipes. He noted that a solution to this problem must be found.

Secretary Hayward asked for feedback from those present on the practice of rewarding contractors for finishing a contract ahead of schedule and imposing stiff penalties on contractors for finishing a contract after the scheduled completions date. Comments made were that: (1) good contractors would be rewarded and therefore it would be a good practice; (2) as long as the quality standard is maintained; and (3) Route 26 is an example where the incentive system works.

Mr. Stickels expressed concern that the Courts have said it has to be demonstrated how exceeding the construction time has cost "damages".

Secretary Hayward responded that if a contract outlines the performance standards that a contractor is to be held to, then it is not necessary to demonstrate any "harm" should a contract exceed the scheduled completion date. Mr. Stickels requested a copy of one of

the Department's contracts so that the County can consider using the same language in the section pertaining to this issue.

#### Gumboro Wetland Mitigation Project

Mr. Phillips questioned what the status is on the Gumboro Wetland Mitigation Project. Mr. Phillips was advised that (1) the money has been allocated in the Capital Improvement Program and (2) the project is on hold. Mr. Phillips stated that this project is still a major concern among his constituents.

#### Milton Truck Bypass

Mr. Stickels read a letter from the Town of Milton stating that they are very much in need of the Milton Truck Bypass and that they want it done as soon as possible because of safety concerns.

Mr. Reeb advised that the planning stage of the project has been completed and that the project is now in the design stage.

Mr. Rogers asked for confirmation of the route the bypass will take and the estimated completion date.

#### Laurel Truck Bypass

Mr. Richard Stone, Mayor-Elect of the Town of Laurel, expressed concern about the truck route proposed by DelDOT in their last report -- coming into Five Points, turning south to Market Street, and then turning right onto Route 24. Mr. Stone stated that many trucks cannot make these turns and that he anticipates a lot of noise as the trucks shift gears. He noted that the only real solution that he sees is a bypass south of Laurel; that what exists now is better than what DelDOT is proposing; and that he does not believe that DelDOT's plan is the best plan for the community.

Secretary Hayward and Mr. Reeb stated that they would be in contact with the Town and would work together to look at other alternatives.

#### South Bethany Canal Issue

Mr. Stickels discussed a letter from the former Mayor of South Bethany regarding two issues: (1) asking DelDOT to modify the drain system either by diverting the effluent to a point further south along Route One or discharging the effluent directly into the Atlantic Ocean at a point significantly away from the beaches, so as not to threaten the water quality of the ocean, and (2) to fund the dredging of the canals to a level representing 80 percent of the cost of dredging on the basis that sediment required to be removed is caused by the Route One drainage system. The letter quoted studies performed by the University of Delaware confirming that a lot of the water degradation is a result of highway runoff. Mr. Stickels gave this letter to Ms. Gorlich.

Mr. Redden discussed the history of the project and advised that, although the perception is that most of the fill in the canal is a result of highway runoff, the reality is that there are a lot of things that contribute to the silting. He noted that the silting is a natural process; that there is very little tidal flow in the canal; that the water is virtually still; that anything that grows there is probably going to decay and settle there; and that there is a lot of wind-borne materials that contribute to the fill. Mr. Redden acknowledged that this is a major problem and he is not sure what the answer is.

Mr. Aiello, Councilman for South Bethany, announced a meeting that will be held in South Bethany on April 25th to discuss this issue. At this meeting, the problem will be discussed, including a review of the study and the storm drainage issue. Mr. Aiello noted that representatives of DelDOT and DNREC are planning to be in attendance at this meeting.

A resident who lives adjacent to the canal and Route One spoke in contradiction to comments made by Mr. Redden that the fill is not from highway runoff. He referred to photos that he has taken of mud going into the canal after a heavy rainstorm.

#### Tourist Center – Bridgeville

Secretary Hayward discussed the history of the Bridgeville Tourist Center. The State entered into an arrangement with a landowner in Bridgeville and invested \$1.6 million to construct the building at that site. The State does not own the land; it has a lease wherein if the State continues to operate the building as a Tourist Center, the rent remains at \$1.00 annually. If the State chooses not to continue the Tourist Center operation, the State must (1) move the building (which would be very difficult and costly), or (2) abandon the property and its improvements.

The Secretary reported that the facility has been operating for a period of four – five years; however, the Chamber of Commerce has not been able to operate the facility on a break-even basis and for this reason, something has to be done. He noted that DelDOT is not responsible for tourism in the State; however, he acknowledged that the building is an important asset; that it would be irresponsible for the Department to “walk away” from the project; and he promised that the Department will work diligently to find a politically and financially reasonable solution.

Secretary Hayward and Ms. Gorlich advised that an attorney for DelDOT has been working closely with the property owners to see if they are willing to renegotiate the arrangement and sell the land; that the property owners have expressed that they are potentially interested in selling the land; that an appraisal of the land is being performed; and that several State agencies have expressed an interest in occupying the building.

Mr. Joe Conaway, President, Town Commission of Bridgeville, spoke and advised that 50,000 people visited the Tourist Center last year; that the Town of Bridgeville would like to see the facility remain open as a Visitor’s Center.

### Tourist Center – Rehoboth Beach

Secretary Hayward reported that he, along with Mr. Ray Miller, met with a group from Rehoboth who are interested in developing a site adjacent to the State's park-n-ride facility for a combination Museum and Visitors Center. There are approximately 12 acres of vacant land at the site and the group is proposing that approximately 6 acres be used for this project. DelDOT was asked if there was the "political will and the public and private money" to help make this project come to fruition and asked whether DelDOT would be willing to share its parking lot facility at off-peak hours. DelDOT has told the group that they would be willing to support their use of the facility for joint parking. Secretary Hayward expressed his opinion that the project is ambitious in both its scope and its price tag and that he does not have the answer to the issue of whether there is the "political will and the public and private money" to support the project.

Mr. Stickels noted that this project is proposed in an area that has a lot of development pressure and that this would be a lesser use.

It was noted that there are rumors that a convention center is being proposed. Mr. Calio stated that he has had conversations with the group and a convention center is not proposed.

### Coordination of Long-Term Planning between the County and DelDOT

It was noted that this topic has been discussed throughout the course of the meeting.

### General Public Comments

#### Dan Kramer

Mr. Kramer expressed his opinion that Route One is one of the worst roads ever built.

Mr. Kramer expressed his opinion that building the Bridgeville Bypass doesn't make any sense and that nobody wants it.

#### Frank Calio, Director of Economic Development

Mr. Calio expressed concern about Corridor Preservation and Access Management. He noted that the western side of the County is economically depressed as far as well-paying jobs with benefits and that approximately 53 percent of students in each school district (with the exception of the Delmar district) come from economically deprived homes. Mr. Calio emphasized that the western side of the County needs jobs and development. He reported that during the Department's previous administration, some industries were unable to locate on the western side of the County because access to Route 13 was denied.

Gil Thornton, Property Owner in Delmar

Mr. Thornton expressed concern that based on newspaper articles and the discussions today, he feels New Castle County and Sussex County are mentioned in the same breath as the areas with the greatest growth. He also stated that he feels it is a mistake to talk about Sussex County as if it were one homogeneous area. "There are two Sussex Counties – there is the beach area and then there's the rest of the County." Mr. Thornton expressed his belief that the solutions and standards proposed for the County are geared more for the eastern section, ignoring the western section.

Mr. Thornton stated that he has owned a piece of property in Delmar for 13 years and as a consequence of DelDOT denying access to his property from Route 13 (for five years), numerous enterprises have moved elsewhere.

Secretary Hayward stated that the Department will come to Delmar and meet Mr. Thornton to resolve this problem.

Phil Voshell, Rehoboth Resident

Mr. Voshell expressed concern about the Route One Corridor and stressed that a long-term plan is needed. Mr. Voshell stated that the proposed Tourist Center would add additional traffic problems.

Secretary Hayward questioned Mr. Voshell as to what he would do to Route One from Five Points south to help with congestion. Mr. Voshell responded that he has drawn up a plan from Five Points to the Canal, which includes flyovers over the center four lanes, no traffic lights, 3 lanes on either side for local traffic, and a total of 10 lanes across.

Secretary Hayward asked Mr. Voshell to provide him with a copy of his plan.

Lit Dryden

Mr. Dryden discussed the mass transit project from Wilmington to the beaches, stating that he thought it was a wonderful idea until he saw the economics. He stated that he feels the costs are too expensive for families. In addition, passengers would have to change buses at the outlets.

Mr. Dryden suggested that the Department revisit the economics and look at what the positive impacts will be from the people who use the service and come down and spend dollars here. He stated that the cost should be reduced from \$15.00 to \$3.00; that the Department may have to subsidize the program; and that additional ridership may be gained which will offset the difference. In addition, Mr. Dryden recommended that a reimbursable program be considered for people riding buses to the beach to work.

Secretary Hayward suggested a family discount program.

Mr. Miller advised that this is a project that they are experimenting with and, like all new projects, will need adjusting as it moves forward. Mr. Miller stated that the bus change at the outlets is necessary due to the fact that 40-foot buses cannot travel into Rehoboth Avenue.

Joe Demul, Council on Transportation, South Bethany

Mr. Demul expressed his opinion that this type of meeting should be held on a regular basis. He stated that (1) building a proper evacuation route takes more than signs; roads have to be protected from flooding so people can get out; (2) Pine Road should be reopened; (3) people should be educated on the benefits of taking a bus; (4) an economic feasibility study should be done for the north-south corridor; (5) 70 percent of the traffic coming into Sussex County goes outside of the County, and (6) Sussex County provides 50 percent of the transportation going to and from Ocean City.

Rich Collins

Mr. Collins stated his belief that land development is the engine of economic prosperity and that if Corridor Preservation and Access Management were implemented twenty years ago, then "Sussex County would be an economic backwater today".

Mr. Collins discussed Development Districts and the unfairness of that classification.

Mr. Collins expressed his opinion that the solution to the Route One problem is to establish a road on either side of Route One that is limited access that allows local people to travel.

Mr. Collins further expressed his opinion that DelDOT needs to get legislative authority to do Access Management.

Mr. Collins expressed his disbelief that the Department spends more on transit than on maintenance of roads. He suggested that this money be directed to the elderly, the disabled, and the disadvantaged.

Mr. Collins stated that he believes that there are sufficient roads around Laurel to develop a bypass.

Mr. Collins stated that a new concept is needed; that basically, in the past, government has catered to folks who do not live in Sussex County. The roads that have been built have been for out-of-state people to travel to eastern Sussex County. He suggested that all the other roads should be designated for local citizens and that these roads should not be shown on maps.

Mike Tyler

Mr. Tyler advised that he was appointed by Past-Governor Castle to be on the Bicycle Council and that he is still is an avid cyclist. He stated that he believes people still use bicycles to commute, especially employees cycling to work on Route One. Mr. Tyler asked the Secretary to consider allowing bicycles to share the bus lane on Route One.

Peg Faust, Resident in Rehoboth Beach Yacht & Country Club

Ms. Faust spoke regarding the proposed projects of Golf Park and Marsh Farm, and the proposed Museum and Tourist Center. Ms. Faust expressed concern regarding the increased traffic these projects will generate. Ms. Faust questioned whether (1) Route One is ever going to be opened up; (2) is the corridor ever going to happen; and (3) what are the plans.

There were no further public comments.

Mr. Stickels asked that consideration be given to holding a similar Public Workshop in October.

A Sussex County Passport was issued to Secretary Hayward.

The Public Workshop concluded at 3:38 p.m.

Respectfully submitted,



Robin A. Griffith  
Clerk of the Council