

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, APRIL 25, 1995

Call to Order The regular meeting of the Sussex County Council was held Tuesday, April 25, 1995, at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

Dale R. Dukes	President
George J. Collins	Vice President
Ralph E. Benson	Member
George B. Cole	Member
William D. Stevenson, Sr.	Member

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

M 175 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson, to Approve approve the minutes of the previous meeting dated April 11, 1995. Minutes Motion Adopted by Voice Vote.

Corre- Mr. Bayard, County Attorney, read the following correspondence: spondence

STATE OF DELAWARE, DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL, DIVISION OF AIR & WASTE MANAGEMENT, DOVER, DELAWARE.

RE: Notice of Public Hearing on May 17, 1995, to be held to consider a revision to Regulation No. 21, EMISSION STANDARDS FOR HAZARDOUS AIR POLLUTANTS, Section 10 - EMISSION STANDARDS FOR ASBESTOS.

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY.

RE: Notice of Commission Meeting and Public Hearing on applications for approval of several projects, none of which are located in Sussex County.

U.S. ARMY CORPS OF ENGINEERS, PHILADELPHIA, PENNSYLVANIA.

RE: Notice to solicit comments and recommendations from the public concerning issuance of a Department of the Army permit. (Applicant: Sunshine Marina. Waterway: Broadkill River)

ERIC BUEHL, DISTRICT COORDINATOR, SUSSEX CONSERVATION DISTRICT, GEORGETOWN, DELAWARE.

RE: Letter in appreciation of Council's continued support of Soil and Water Stewardship Week and District programs.

ANTHONY SPERA, ACTING MANAGER, AIRPORTS DIVISION, FEDERAL AVIATION ADMINISTRATION, JAMAICA, NEW YORK.

RE: Letter in appreciation of Council's invitation to attend the Ribbon Cutting for the rehabilitated Runway 4/22 at Sussex County Airport.

DAVID RUTT, VICE PRESIDENT, CHAIRMAN OF EVENING OF FRIENDSHIP, MILFORD ROTARY CLUB, MILFORD, DELAWARE.

RE: Letter in appreciation of \$200.00 grant to the Milford Rotary Club for their 1995 Evening of Friendship.

Corre- BETTY LOU DELDEO, MANAGER, SPORTS ALLEY - ALLEY CATS, DAGSBORO,
spondence DELAWARE.
(con't) RE: Request for Councilmanic Funds for costs associated with
softball tournaments.

S. LEE FRANKEL, JR., STATE OF DELAWARE, DEPARTMENT OF TRANSPOR-
TATION, DOVER, DELAWARE.
RE: Letter to Mr. Stickels regarding the Capital Transportation
Improvement Program for Fiscal Years 1996 - 2001.

Presen- Mr. Walter Bryan was in attendance to present to Mr. Stickels
tation a plaque from the Milton Chamber of Commerce and a Resolution
to from the House of Representatives recognizing Mr. Stickels for
Mr. his hard work and diligence associated with the Milton Public
Stickels Library, the Governor's Walk, and other community projects.

Sediment Mr. Stickels, County Administrator, advised that a vacancy
& Storm- exists on the Sediment and Stormwater Management Advisory
water Committee. The Sussex Conservation District has recommended
Manage- that Mr. Steve Sellers be accepted as a replacement for Mr.
ment Don Miller on this Committee. Members of the Sediment and
Advisory Stormwater Management Advisory Committee are confirmed by the
Committee Sussex Conservation District and the Sussex County Council.

M 176 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,
Appoint- that the Sussex County Council authorizes Mr. Steve Sellers
ment to to replace Mr. Don Miller on the Sediment and Stormwater
Sediment Management Advisory Committee.
& Storm-
water

Motion Adopted: 5 Yea.

Manage- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
ment Mr. Collins, Yea; Mr. Stevenson, Yea;
Advisory Mr. Dukes, Yea
Committee

Proposed Mr. Stickels, County Administrator, read in its entirety a
Procla- Proposed Proclamation entitled "PROCLAIMING APRIL 22 THROUGH
mation APRIL 29, 1995, AS 'DELAWARE VOLUNTEER AND SERVICE WEEK' AND
PROCLAIMING APRIL 26 AS 'RSVP DAY' IN SUSSEX COUNTY". Ms.
Gloria Clark, Director of the Sussex County Retired Senior
Volunteer Program, and Mr. Vollie Melson, Executive Director
of the Delaware Commission on National and Community Service,
were in attendance to accept the Proclamation.

M 177 95 A Motion was made by Mr. Benson, seconded by Mr. Stevenson,
Adopt to Adopt the Proclamation entitled "PROCLAIMING APRIL 22
Procla- THROUGH APRIL 29, 1995, AS 'DELAWARE VOLUNTEER AND SERVICE
mation WEEK' AND PROCLAIMING APRIL 26 AS 'RSVP DAY' IN SUSSEX COUNTY".

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Certifi- Ms. Gloria Clark, Director of the Sussex County Retired
cate Senior Volunteer Program, presented Council with a certi-
Pre- ficate recognizing Sussex County Council "for invaluable
sented support in furthering the efforts of the RETIRED AND SENIOR
VOLUNTEER PROGRAM to provide significant volunteer service
to the community".

Camp Lt. Greg Warren, Director of Community Services, Delaware
Barnes State Police, and Camp Barnes Board Member, and Ms. Pat
Fleetwood, Director of Camp Barnes, were in attendance to
ask Council to consider funding for Camp Barnes in the future.
Lt. Warren and Ms. Fleetwood provided Council with a detailed
overview of the programs offered at Camp Barnes and the schedule
for the upcoming season. Lt. Warren explained that Camp Barnes
is a facility that serves the children and youth of Delaware.
It is a place where children can learn the skills needed to
"Say No To Drugs"; these skills are taught through increasing
their self-esteem and self-confidence. Lt. Warren advised
that the number of people attending the camp and the number
of programs offered have increased and for this reason an
increase in funding is necessary. Lt. Warren invited Council
members to an Open House scheduled for Friday, April 28, 1995,
from 1:00 p.m. to 4:00 p.m.

Depart- Mr. Stickels, County Administrator, discussed a request from
ment of the Department of Elections to use the Courthouse facilities
Elections on the following dates:
Request

1996 Presidential Primary Election - February 24, 1996
1996 Candidate Primary Election - September 7, 1996
1996 General Election - November 5, 1996

M 178 95 A Motion was made by Mr. Stevenson, seconded by Mr. Benson,
Execute that the Sussex County Council authorizes the Sussex County
Agree- Council President to execute an Agreement to use the Sussex
ment County Courthouse for an election district polling place on
with Saturday, February 24, 1996, for the 1996 Presidential
Department Primary Election; Saturday, September 7, 1996, for the 1996
of Candidate Primary Election; and Tuesday, November 5, 1996,
Elections for the 1996 General Election.

for Use Motion Adopted: 5 Yea.

of Court- Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
house Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

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

Adminis-
trator's
Report
(con't)

1. Troop 4 Status Report

The following hours of duty and enforcement were compiled by the uniformed officers at Troop 4, Georgetown, Delaware, during the month of March 1995:

Total Hours on Duty	3,417
Hours Assisted Other Agencies	43
Total Traffic Arrests	744
Total DUI Arrests	15
Accident Reports: Property Damage	39
Personal Injury	<u>12</u>
Total Accident Reports	51
Criminal Arrests: Felony	34
Misdemeanor	<u>105</u>
Total Criminal Arrests	139
Total 10-29 P's (wanted persons)	55
Total Number of Complaints	483

2. Sussex County Volunteer Firemen's Association Monthly Dinner Meeting

The Greenwood Fire Company will host the Sussex County Volunteer Firemen's Association monthly meeting on Tuesday evening, April 25, 1995, at 7:30 p.m. at the Greenwood Fire Hall, Greenwood, Delaware.

3. Outdoor Burning Ban

Mr. Stickels has been notified by the Delaware State Fire Marshal's Office that the burning ban will remain in effect in Sussex County. The burning ban will not be lifted until Dan Kiley, State Fire Marshal, lifts the restrictions. Even with the recent rain, the County remains very dry.

The fire that started on April 19, 1995, resulted in the burning of approximately 209 acres of the Redden State Forest. Because of its location, the fire was very difficult for the volunteer fire companies to handle. This fire took the attention of all Sussex County volunteer fire companies, either at the scene or standing by for other stations. The firemen should be complimented for handling this potentially dangerous situation.

4. Road Naming

A public meeting will be held at the Slaughter Beach Volunteer Fire Department, Bay Avenue, Slaughter Beach, Delaware, on Wednesday, April 26, 1995 at 7:00 p.m. The

Adminis-
trator's
Report
(con't)

purpose of the meeting is to allow for public input on the roads in the unincorporated areas of the Slaughter Beach Fire District. This will be the last public meeting for road naming in Sussex County.

Town of
George-
town,
Town of
Mill-
ville,
Building
Code

Mr. Milligan, Supervisor of the Building Code Department, advised Council that effective May 1, 1995, the County Building Code Department will enforce One- and Two- Family and CABO Building Code requirements within the Town of Georgetown. Commercial building code requirements are already enforced by the County. Mr. Milligan also advised that effective May 1, 1995, at the request of the Town of Millville, the County Building Code Department will no longer enforce One- and Two-Family, CABO and Commercial Building Code requirements within the Town of Millville.

Contract
with
Whitman,
Requardt
and
Assoc.
Regarding
Proposed
Ellendale
Sanitary
Sewer
District

Mr. Archut, Director of Planning and Permits, discussed a Contract between Sussex County Council and Whitman, Requardt and Associates for supplemental cost evaluations for the Proposed Ellendale Sanitary Sewer District. Mr. Archut advised that an Amendment to this Contract will be necessary to allow for additional engineering analysis, cost estimates and meetings associated with the continuing effort to identify the most feasible and cost effective alternative and to satisfy the concerns of the Rural Economic and Community Development Agency. It is estimated that the additional work will cost \$5,570.00; increasing the Contract amount to \$35,980.00 (including all amendments).

M 179 95
Approve
Increase
to
Whitman,
Requardt
and
Assoc.
Contract

A Motion was made by Mr. Cole, seconded by Mr. Benson, that the Sussex County Council approves an increase in the current Whitman, Requardt and Associates Contract, dated February 10, 1991, from \$30,410.00 to \$35,980.00 for supplemental cost evaluations and future public hearings for the Proposed Ellendale Sanitary Sewer District.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Proposed
Ellendale
Sanitary
Sewer
District
RECD
Applica-
tion

Mr. Archut, Director of Planning and Permits, informed Council that a letter has been received from the Rural Economic and Community Development Agency advising that they would be receptive to the County submitting a full application for funding for the Proposed Ellendale Sanitary Sewer District. In addition, the Agency has advised that they will be looking at loans as well as grant funds for this project. Mr. Archut requested permission from Council to prepare an application to the Rural Economic and Community Development Agency for funding for the Proposed Ellendale Sanitary Sewer District.

M 180 95 A Motion was made by Mr. Stevenson, seconded by Mr. Collins, Prepare that the Sussex County Council Engineering Department is here- RECD by directed to prepare an application to the Rural Economic Application and Community Development Agency (RECD/USDA) for funding tion for assistance for the Proposed Ellendale Sanitary Sewer District, Proposed upon approval of the County Administrator and Finance Director. Ellendale Sanitary Sewer District

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Yea

Change Mr. Green, Director of Utility Construction, discussed Change Order Order No. 6 to Construction Package A for the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District.

M 181 95 A Motion was made by Mr. Cole, seconded by Mr. Benson, based Approve on the recommendation of the Inspection Engineer, George, Change Miles & Buhr, and the Sussex County Engineering Department, Order that the Sussex County Council authorizes the President of for Con- the Sussex County Council to issue Change Order No. 6, for struction the West Rehoboth Expansion of the Dewey Beach Sanitary Sewer Package District, Design Areas 6, 7, 8, & 9, to Teal Construction, A for Inc., for a subcontract with Delaware Electric Cooperative to West de-energize an underground power line during sanitary sewer Rehoboth construction on Pinewood Circle and McNichol Place, for an amount of \$1,079.39, increasing this contract amount to \$4,986,055.99, contingent on the approval of the Department of Natural Resources and Environmental Control, and Rural Economic and Community Development.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Yea

Irene Mr. Green, Director of Utility Construction, discussed Carpenter Conditional Acceptance for the water and wastewater facilities Draper constructed in the Irene Carpenter Draper Property located in Property the Dewey Beach Water and Sanitary Sewer District.

M 182 95 A Motion was made by Mr. Cole, seconded by Mr. Benson, based Execute upon the recommendation of the Sussex County Engineering Agree- Department, for Sussex County Project No. 81-04, that the ment Sussex County Council grant Conditional Acceptance for the for water and wastewater facilities constructed in the Irene Irene Carpenter Draper Property, located in the Dewey Beach Water Carpenter and Sanitary Sewer District.

Draper Property Motion Adopted: 5 Yea.

M 182 95 (con't) Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Yea

Agree- Mr. Green, Director of Utility Construction, discussed ments Construction Administration and Construction Inspection Bethany Services for wastewater facilities to be constructed in Bay Bethany Bay, Phase III, located in the Proposed Millville/Ocean View Sanitary Sewer District.

M 183 95 A Motion was made by Mr. Benson, seconded by Mr. Collins, Execute that the President of the Sussex County Council execute an Agree- agreement between Sussex County Council and Linder and Com- ments pany, Inc., for Construction Administration and Construction Bethany Inspection Services for wastewater facilities to be con- Bay sulted in Bethany Bay, Phase III, Sections 1.1, 1.2, 1.3, Phase and 1.5, located in the Proposed Millville/Ocean View Sani- tary Sewer District.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea; Mr. Collins, Yea; Mr. Stevenson, Yea; Mr. Dukes, Yea

West Mr. Wood, County Engineer, reviewed the bid results for the Rehoboth West Rehoboth Bid Package C Rebid, as follows:

Package C Rebid

<u>Contractor</u>	<u>Bid Amount</u>
Howard Robson	\$2,889,000.00
Lisbon Contractors	2,990,000.00
Dugan Construction	3,489,000.00
George & Lynch	3,492,150.00
Kuhn Construction	3,770,130.00
L. A. Merrell	3,896,055.00

The bids will be reviewed for a recommendation at a later date.

Proposed Mr. Collins introduced the Proposed Ordinance entitled "AN Ordinance ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CONTINUED USE OF A PRIVATE AIRSTRIP FOR A BANNER TOWING SERVICE (CONDITIONAL USE NO. 939) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 9.86 ACRES, MORE OR LESS" (Conditional Use No. 1116), filed on behalf of Atlantic Coastal Aerial Advertising. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Benson introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MODEL HOMES SALES AND DISPLAY LOT (MAXIMUM OF FIVE HOMES AT A TIME) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.21 ACRES, MORE OR LESS" (Conditional Use No. 1117) filed on behalf of Angola Community Partners, L.L.C. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A CREMATORIUM WITHIN A FUNERAL HOME TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 2.02 ACRES, MORE OR LESS" (Conditional Use No. 1118) filed on behalf of Eastern Shore Crematorium, Inc. The Proposed Ordinance will be advertised for Public Hearing.

Proposed Ordinance Mr. Dukes introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR SALES AND REPAIRS OF FIREARMS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 38,572.38 SQUARE FEET, MORE OR LESS" (Conditional Use No. 1119) filed on behalf of Samuel Burton Culver and Dona Helen Culver. The Proposed Ordinance will be advertised for Public Hearing.

M 184 95 Council- Grant A Motion was made by Mr. Cole, seconded by Mr. Collins, to give \$500.00 from Mr. Cole's Councilmanic Account to the Town of Selbyville for expenses associated with opening and maintaining the pool.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

M 185 95 Recess At 11:33 a.m., a Motion was made by Mr. Collins, seconded by Mr. Benson, to recess until 1:30 p.m. Motion Adopted by Voice Vote.

Reconvene Mr. Dukes called Council back into session at 1:37 p.m.

Attorney Mr. Jones, Assistant County Attorney, was the attorney present for the afternoon session.

C/U No. 1109 Mr. Dukes did not participate in the Public Hearing for Conditional Use No. 1109 due to a conflict of interest.

Public Hearing C/U No. 1109 A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A MULTI-FAMILY DWELLING STRUCTURE (7 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.68 ACRES, MORE OR LESS" (Conditional Use No. 1109) filed on behalf of Ronald T. Moore. Comments were heard from those in favor of and those opposed to the application.

Recess Mr. Collins declared a short recess at 3:00 p.m.

Reconvene Mr. Collins called Council back into session at 3:10 p.m.

Public Hearing C/U No. 1109 (con't) The Public Hearing was closed and action was deferred. The record was left open until the close of business on May 5, 1995, to allow time for the submission of additional information for the following:

- o The issue regarding the area between Lake Drive and Silver Lake and the use of that in calculating density.
- o The issue of combining parcels of land located in separate subdivisions.
- o Proposed Findings of Fact.

Recess Mr. Collins declared a five minutes recess at 4:25 p.m.

Reconvene Mr. Dukes called Council back into session at 4:30 p.m.

Public Hearing C/U No. 1110 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 PRIVATE GRASS AIRSTRIP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.59 ACRES OF A 222.87 ACRE TRACT, MORE OR LESS" (Conditional Use No. 1110) filed on behalf of John E. Wagenhoffer. The Public Hearing was closed.

M 186 95 Adopt Ordinance No. 1022 (C/U No. 1110) A Motion was made by Mr. Collins, seconded by Mr. Cole, to Adopt Ordinance No. 1022 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRIVATE GRASS AIRSTRIP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.59 ACRES OF A 222.87 ACRE TRACT, MORE OR LESS" (Conditional Use No. 1110) filed on behalf of John E. Wagenhoffer, with the following conditions:

- M 186 95
(con't)
1. No fuel shall be stored on the site or sold from the site.
 2. The airstrip shall be limited to use by the landowner.
 3. Only one aircraft shall be permitted.

Motion Adopted: 5 Yea.

Vote by Roll Call: Mr. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Findings of Fact

The Findings of Fact and recommendations of the Planning and Zoning Commission were incorporated into the record and into the Findings of Fact of the County Council. The County Council found that the proposed use is an appropriate use in an Agricultural District. The County Council found that the proposed use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County.

Public Hearing (C/U No. 1111)

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 THE RETAIL SALES OF GIFTS, CRAFTS, AND COLLECTIBLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.96 ACRES, MORE OR LESS" (Conditional Use No. 1111) filed on behalf of Trantino Norwood. The Public Hearing was closed.

M 187 95
Adopt Ordinance No. 1023 (C/U No. 1111)

A Motion was made by Mr. Collins, seconded by Mr. Cole, to Adopt Ordinance No. 1023 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR THE RETAIL SALES OF GIFTS, CRAFTS, AND COLLECTIBLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.96 ACRES, MORE OR LESS" (Conditional Use No. 1111) filed on behalf of Trantino Norwood, with the following conditions:

1. One unlighted ground sign, not exceeding 32 square feet per side or facing, may be permitted.
2. 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. Benson, Yea; Mr. Cole, Yea;
Mr. Collins, Yea; Mr. Stevenson, Yea;
Mr. Dukes, Yea

Findings
of Fact

The Findings of Fact and recommendations of the Planning and Zoning Commission were incorporated into the record and into the Findings of Fact of the County Council. The County Council found that the proposed use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County.

Public
Hearing
C/Z
No. 1256

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 DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.28 ACRES, MORE OR LESS" (Change of Zone No. 1256) filed on behalf of Mary O. Rizk. The attorney for the applicant advised that the applicant is willing to have the Proposed Ordinance amended to "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 BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.28 ACRES, MORE OR LESS". The Public Hearing was closed and action was deferred. The record was left open for the results of a traffic impact study.

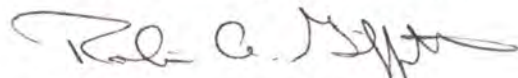
Reading
Findings
of Fact
of
Planning
& Zoning
Commis-
sion

The Council discussed the necessity of Mr. Lank, Director of Planning and Zoning, reading the Findings of Fact and recommendations of the Planning and Zoning Commission during public hearings. It was the consensus of Council that the Findings of Fact and recommendations of the Planning and Zoning Commission be distributed prior to a public hearing for Council's review after which it will not be necessary for Mr. Lank to read the information.

M 188 95
Adjourn

A Motion was made by Mr. Collins, seconded by Mr. Benson, to adjourn at 5:00 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



Robin A. Griffith
Clerk of the County Council