

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 26, 2003**

**Call to  
Order**

The regular meeting of the Sussex County Council was held Tuesday, August 26, 2003, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

<b>Lynn J. Rogers</b>	<b>President</b>
<b>Dale R. Dukes</b>	<b>Vice President</b>
<b>George B. Cole</b>	<b>Member</b>
<b>Finley B. Jones, Jr.</b>	<b>Member</b>
<b>Vance Phillips</b>	<b>Member</b>
<b>Robert L. Stickels</b>	<b>County Administrator</b>
<b>David Baker</b>	<b>Finance Director</b>
<b>James D. Griffin</b>	<b>County Attorney</b>

**M 476 03  
Approve  
Agenda**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to adopt the Agenda, as distributed.

**Motion Adopted: 5 Yea.**

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

**M 477 03  
Approve  
Minutes**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to approve the minutes of August 12, 2003, as distributed.

**Motion Adopted: 5 Yea.**

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

**Corre-  
spondence**

**Mr. Griffin read the following correspondence:**

**JEAN GREEN, LAUREL, DELAWARE.**

**RE: Letter in appreciation of grant to Mt. Pisgah Church.**

**JACK AND PATRICIA SHORT, GEORGETOWN, DELAWARE.**

**RE: Letter thanking the County Council for funding the program for rehabilitating houses and for the repairs made to their home.**

**REHOBOTH BEACH MUSEUM, REHOBOTH BEACH, DELAWARE.**

**RE: Letter in appreciation of Councilmanic Grant.**

Corre-  
spondence  
(continued)

**DISTRICT III BIG LEAGUE GIRLS SOFTBALL TEAM,  
GEORGETOWN, DELAWARE.**

**RE: Letter in appreciation of grant.**

**CHELSEA HITCHENS, MILLSBORO, DELAWARE.**

**RE: Letter in appreciation of grant.**

**DELAWARE INVITATIONAL TOURNAMENTS, DELAWARE  
ORANGE CRUSH 18&U WOMEN'S FASTPITCH SOFTBALL TEAM,  
NEW CASTLE, DELAWARE.**

**RE: Letter in appreciation of grant.**

**GEORGE H. BUNTING, JR., SENATOR OF THE STATE OF  
DELAWARE, DOVER, DELAWARE.**

**RE: Letter thanking Council for offering a place on The Circle for a  
memorial for Vietnam veterans and those who were killed from our  
Country.**

**Award  
Presentation**

**Mr. Rogers presented the SCAT 2003 Public Service Award to Thelma  
Monroe, former Mayor of the Town of Millsboro.**

**DelDOT  
SR-1  
Land Use  
and  
Transportation  
Study**

**Ms. Bobbie Geier of DelDOT and Mr. Lawrence Lank, Director of Sussex  
County's Planning and Zoning Commission, gave a presentation on the  
State Route 1 Land Use & Transportation Study. Ms. Geier stated that  
the study's overall objectives, developed jointly by Sussex County and  
DelDOT, and affirmed by the Public Advisory Committee (PAC), were to:**

- Increase local mobility by developing alternative road connections.**
- Provide a variety of ways to travel.**
- Reduce congestion.**
- Improve safety.**
- Maintain the character of the study area.**
- Gain public acceptance of study recommendations.**

**The study proposes a new controlled access parkway with an alignment  
west of Route 1 to remove some of the local traffic, an overpass/diamond  
interchange to replace the existing signalized intersection at the Five Points  
intersection, and adding additional lanes in each direction on Route 24 from  
Love Creek to Road 275, as well as other improvements. The study also  
proposes Multi-Use Activity Centers/Villages. This concept would cluster  
most of the new development in compact, mixed-use areas to reduce the  
number and length of trips residents must make. This concept would also  
make alternative modes (walking, bicycling, and transit) more convenient  
and feasible. The study team recommended five multi-use activity centers.  
Because this is a conceptual study, their exact locations were not identified.**

**Ms. Geier noted that the recommended elements of this Land Use and  
Transportation Plan will not happen all at once. The short-term  
components of the transportation plan can be addressed almost**



**DelDOT  
SR-1  
Land Use  
and  
Transportation  
Study  
(continued)**

immediately and some, like the optimization of signals on SR 1, are already underway. Similarly, Sussex County has already begun to address the ordinances and other commitments it has made to support the development of compact, mixed use activity centers. DelDOT and Sussex County are both working toward designating the recommended parkway as controlled access and protecting it from residential and commercial development along its length.

DelDOT officials cautioned that the recommended roadwork might take a decade or more to perform and that there is little money earmarked for the roads or an overpass.

Ms. Geier advised that the longer-range elements of the transportation plan will now move through DelDOT's Project Pipeline. Because the SR-1 study was a concept-level analysis, more work will have to be done to identify specific alignments and to purchase necessary rights-of-way and easements.

Mr. Rogers asked that DelDOT consider dualizing all of Route 24 instead of only a portion of it. Mr. Cole expressed concern about bicycle safety and suggested that DelDOT solicit information from experts/consulting firms in addition to receiving input from the public. Several Councilmembers expressed concern regarding how long these projects will take to complete and stated that residents of Sussex County want solutions now, not a decade from now.

Mr. Stickels advised that he will include these projects in the County Council's funding requests to be submitted to DelDOT at the Public Meeting and Workshop on the FY 2005 – 2010 Capital Transportation Improvement Program which is scheduled for September 11, 2003.

**First  
State  
Inspection  
Agency  
Contract**

Mr. Milligan, Sussex County Building Code Supervisor, and Mrs. Nancy Shockley of First State Inspection Agency, were in attendance to ask Council to consider authorizing a two-year extension to the contract between Sussex County Council and First State Inspection Agency for services associated with performing single-family building code inspections in Sussex County. Extensions to the contract were previously authorized in 1995, 1998, and 2001.

**M 478 03  
Authorize  
Extension/  
First  
State  
Inspection  
Agency  
Contract**

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to authorize a two-year extension to the contract between the Sussex County Council and the First State Inspection Agency.

**Motion Adopted: 5 Yea.**

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

**Public  
Hearing/  
Proposed  
Ordinance  
Amending  
Chapter  
115  
Creating  
an Environ-  
mentally  
Sensitive  
Develop-  
ment  
District**

A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ADD A NEW SECTION CREATING AN ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE”.

Mr. Lank, Director of Planning and Zoning, distributed a letter dated July 22, 2003 from the Delaware Office of State Planning Coordination applauding the County for taking this step in implementing its Comprehensive Plan and creating a process to look at the impacts of development in the area of the State that is so environmentally sensitive. State agencies’ comments were incorporated into the letter.

The Planning and Zoning Commission held a Public Hearing on this Proposed Ordinance on August 14, 2003 at which time they recommended that the Ordinance be approved with the conditions that the list of considerations under Section B.2. include “consideration of historic and cultural resources” and that Section E. (relating to buffers) be deleted in its entirety with the understanding that other ordinances will be prepared in reference to buffers. The summary and the findings and recommendations of the Commission were admitted as part of the record.

Public comments were heard.

Anne Marie Townsend, spoke on behalf of the Office of State Planning Coordination, and stated that the County has received the State’s comment letter received through the LUPA process. Ms. Townsend emphasized the Office’s support of this Ordinance. She noted that the Ordinance will not solve all the problems or answer all of the environmental concerns in the Inland Bays Region; however, the Inland Bays will be better off with this Ordinance than it would be without it. Ms. Townsend stated that the Office believes that this Ordinance is a strong, positive step forward in the implementation of Sussex County’s Comprehensive Plan and that other Ordinances currently under development, such as those pertaining to buffers and open space, will further benefit the County. She further stated that the Office encourages the County to move forward with the entire suite of ordinances in support of the County’s Comprehensive Plan.

In response to questions raised by Mr. Cole, Ms. Townsend stated that the concerns raised by DNREC in the LUPA letter are legitimate; however, the proposed ordinance is a positive step forward.

Mr. Shafer, the County’s Land Use Consultant, urged the Council to move forward with the Proposed Ordinance. He referred to Mr. Cole’s comments that everything is not covered in the Proposed Ordinance and he noted that there will be supporting ordinances including ordinances relating to buffers, open space and community design.

Mr. Cole referred to the following paragraph in the Proposed Ordinance relating to the application process:



**Public  
Hearing  
(continued)**

**“3. The Director of Planning and Zoning will review all applications, plans, assessments and other information submitted and prepare a written report summarizing his findings and the comments of State agencies and other County offices. The Planning and Zoning Commission shall make a determination as to whether adequate information has been presented for the project to proceed. A completed report shall be required prior to any preliminary plan approval for a development subject to this ordinance. Approval of the report does not constitute final approval of the commenting agencies.”**

**M 479 03  
Motion  
to Amend  
Proposed  
Ordinance  
(Motion  
Withdrawn)**

**A Motion was made by Mr. Cole, seconded by Mr. Jones, to amend the second sentence of Section B (3) by striking “The Planning and Zoning Commission...” and replacing it with “The Director of Planning and Zoning....”.**

**It was noted that public comments had not yet been heard and Mr. Cole and Mr. Jones withdrew the Motion.**

**Public  
Hearing  
(continued)**

**Letters from the Town of Bridgeville and the Greater Millsboro Chamber of Commerce were read into the record in support of the proposed ordinance.**

**Public comments were heard from Michael Tyler and Mabel Granke of the Citizen’s Coalition; Rich Collins of the Positive Growth Alliance; Kevin Burdette of McCrone; Harry Haon, Councilmember of the Town of Fenwick Island; William Payne; Stan Jachym, Ron Ray, and Dan Kramer. Comments were made that the Proposed Ordinance “misses the mark”; that it does not limit development in the overlay zone or manage development in the overlay zone differently than it is currently managed or differently than the less environmentally sensitive areas of the County; that the Environmentally Sensitive Area should be defined as the entire Inland Bay Watershed; that buffer requirements should be keyed to the actual site; that the proposed ordinance is not specific in its requirements; that when a plan/application is reviewed by Planning and Zoning, a determination should be made within 60 days; that directional drilling and related work for the installation of underground utilities should be permitted in the buffer zone; that the word “developing” should be removed from the zone’s name; that a 100 foot buffer should be required between any development and the bays; and that Council should wait until all the supporting ordinances are ready before enacting the environmentally sensitive developing district zone. Mr. Collins of the Positive Growth Alliance expressed concerns about the “LUPA” letter and, in particular, comments from DNREC.**

**The Public Hearing was closed.**

**It was the consensus of Council that Mr. Lank and Mr. Shafer prepare a report to be presented to Council indicating any proposals that they think should be added to the proposed ordinance and whether or not those proposals would require a new public hearing.**

**M 480 03  
Defer  
Action  
on  
Proposed  
Ordinance**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to defer action on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 115 OF THE CODE OF SUSSEX COUNTY, TO ADD A NEW SECTION CREATING AN ENVIRONMENTALLY SENSITIVE DEVELOPMENT DISTRICT OVERLAY ZONE".

**Motion Adopted: 5 Yea.**

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

**M 481 03  
Table  
Agenda  
Items  
and  
Reschedule  
Agenda  
Items**

A Motion was made by Mr. Cole, seconded by Mr. Dukes, to table the following agenda items until the September 9th meeting:

- **Shafer Consulting – Contract Amendment  
Environmentally Sensitive Developing Area Study**
- **Local Government Revenue Sharing**
- **Old Business: Conditional Use No. 1512  
Randall J. Pentoney and Diane M. Pentoney**
- **Heritage Village Proposed Streetlighting District**
- **Grant Requests**

**Motion Adopted: 5 Yea.**

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

**M 482 03  
Adopt  
Procla-  
mation**

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to Adopt the Proclamation entitled "PROCLAIMING THE MONTH OF SEPTEMBER AS OVARIAN CANCER AWARENESS MONTH".

**Motion Adopted: 5 Yea.**

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

**Adminis-  
trator's  
Report**

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

**1. Public Workshop**

The Delaware Department of Transportation is holding a Public Workshop to solicit public input on proposed improvements to



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

intersections along US 13 in the Laurel, Delaware, area. The workshop will be held on Wednesday, August 27, 2003, at the Laurel Fire Hall, 201 Tenth and Railroad Streets, Laurel, Delaware. The public is invited to attend any time between 4:00 and 8:00 p.m.

Citizens will have the opportunity to review proposed plans for the following locations:

- US 13 at Discount Land Road – proposal to increase safety by eliminating crossing and left turn movements from Discount Land Road (S 468) onto US 13; concrete islands to be constructed to prohibit turns.
- Five Points - these proposed improvements include channelization of entrances, new sidewalks, and patterned paved crosswalks.
- US 13 - improvements to include channelizing side roads, entrances, medians, separate left/thru/right turn lanes from side roads.

**2. Building Code Inspectors**

I am pleased to inform the Council that Greg Hill has been recognized by the International Code Council as a Certified Plans Examiner. With this certification, the Building Code Department now has four employees who are Certified Inspectors and two employees who are Certified Plans Examiners. Mr. Hill is the first Plans Examiner to be certified in the new International Building Code.

The County government has been working with many local municipalities in reviewing the conversion to the International Building Code. A workshop will be scheduled in October to update the County Council on the potential conversion to the International Building Code.

**3. Holiday Schedule**

Sussex County government offices will be closed on Monday, September 1, 2003, to allow employees to observe the Labor Day holiday. The Sussex County Council will not meet on Tuesday, September 2, 2003. The next regularly scheduled Council meeting will be Tuesday, September 9, 2003, at 10:00 a.m. in the Council Chambers.

**M 483 03  
Recess**

At 12:50 p.m., a Motion was made by Mr. Dukes, seconded by Mr. Phillips, to recess until 1:00 p.m. Motion Adopted by Voice Vote.

**Reconvene**

Mr. Rogers called Council back into session at 1:10 p.m.

**Public  
Hearing  
(C/U  
No. 1497)**

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 CONSTRUCT, BUILD, AND REPAIR WOODEN PALLETS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 13.392 ACRES, MORE OR LESS" (Conditional Use No. 1497) filed on behalf of Bobby R. Jones.

The Planning and Zoning Commission held a Public Hearing on this application on August 14, 2003, at which time they deferred action. Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing. The summary of the Commission's Public Hearing was admitted as part of the record of this Public Hearing.

The Council found that Bobby R. Jones was present and stated in his presentation that he proposes to erect a 48' x 64' pole building; that the new pole building would replace the 50' by 100' existing building; that he proposes to use 3 acres of the property for the pallet business; that all repair work will be performed indoors; that the only outside activity would be storage; and that he normally opens the business at 6:30 a.m. and works for 6 to 8 hours.

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

**M 484 03  
Defer  
Action  
on  
C/U  
No. 1497**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to defer action on Conditional Use No. 1497, an application of Bobby R. Jones.

**Motion Adopted: 5 Yea.**

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

**Public  
Hearings  
C/U  
No. 1498  
and  
C/U  
No. 1499**

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 LAND APPLICATION OF SELBYVILLE AND GEORGETOWN, DELAWARE, WASTEWATER TREATMENT PLANT BIOSOLIDS AS AN AMENDMENT TO CONDITIONAL USE NO. 1373 AND CONDITIONAL USE NO. 1399 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 88.0 ACRES, MORE OR LESS" (Conditional Use No. 1498) filed on behalf of Synagro-WWT, Inc. and on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR LAND APPLICATION OF SELBYVILLE AND GEORGETOWN, DELAWARE, WASTEWATER TREATMENT PLANT BIOSOLIDS AS AN AMENDMENT TO CONDITIONAL USE NO. 1372 AND CONDITIONAL USE NO. 1400 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED,



Public  
Hearings  
C/U  
No. 1498  
and  
C/U  
No. 1499  
(continued)

**SUSSEX COUNTY, CONTAINING 220 ACRES, MORE OR LESS”  
(Conditional Use No. 1499) filed on behalf of Synagro-WWT, Inc.**

The Planning and Zoning Commission held Public Hearings on these applications on August 14, 2003, at which time they recommended that the applications be approved with five conditions. Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearings. The summary and the findings and recommendations of the Commission were admitted as part of the record of this Public Hearing.

Mr. John Uzupis, Technical Services Director, Synagro-WWT, Inc., was present and stated that the Town of Selbyville has biosolids that need to be removed from two treatment lagoons; that they need approximately 40 acres for land application of the material; that the material is approved by the State DNREC for land application; that the material is allowed to be spread on this site; that the Town of Georgetown was added to the application to allow the Town more of a contingency plan for rotation of the location of their land application; that the liquid bio-product materials from Vlasic will continue to be applied to the site annually; that all of the material is hauled by Synagro-WWT, Inc.; that land application is performed in the Spring and Fall prior to the next crop; that soil tests are performed each year; that the crops planted after land application are for animal feed, not human consumption; and that all applications will be in accordance with DNREC regulations.

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

M 485 03  
Adopt  
Ordinance  
No. 1628  
(C/U  
No. 1498

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to Adopt Ordinance No. 1628 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR LAND APPLICATION OF SELBYVILLE AND GEORGETOWN, DELAWARE, WASTEWATER TREATMENT PLANT BIOSOLIDS AS AN AMENDMENT TO CONDITIONAL USE NO. 1373 AND CONDITIONAL USE NO. 1399 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 88.0 ACRES, MORE OR LESS” (Conditional Use No. 1498) filed on behalf of Synagro-WWT, Inc., with the following conditions:

1. The application of sludge shall be subject to State DNREC approval.
2. The sludge applied shall be limited to biosolids from the Selbyville and Georgetown Wastewater Treatment Facilities.
3. There shall be no stockpiling of sludge materials on site.
4. The maximum number of applications of sludge on this site shall be once per year subject to the approval of the State DNREC.

**M 485 03  
(continued)**

**5. This conditional use will be valid concurrent with the State DNREC permit.**

**Motion Adopted: 5 Yea.**

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

**M 486 03  
Adopt  
Ordinance  
No. 1629  
(C/U  
No. 1499)**

**A Motion was made by Mr. Dukes, seconded by Mr. Jones, to Adopt Ordinance No. 1629 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR LAND APPLICATION OF SELBYVILLE AND GEORGETOWN, DELAWARE, WASTEWATER TREATMENT PLANT BIOSOLIDS AS AN AMENDMENT TO CONDITIONAL USE NO. 1372 AND CONDITIONAL USE NO. 1400 TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 220 ACRES, MORE OR LESS" (Conditional Use No. 1499) filed on behalf of Synagro-WWT, Inc., with the following conditions:**

- 1. The application of sludge shall be subject to State DNREC approval.**
- 2. The sludge applied shall be limited to biosolids from the Selbyville and Georgetown Wastewater Treatment Facilities.**
- 3. There shall be no stockpiling of sludge materials on site.**
- 4. The maximum number of applications of sludge on this site shall be once per year subject to the approval of the State DNREC.**
- 5. This conditional use will be valid concurrent with the State DNREC permit.**

**Motion Adopted: 5 Yea.**

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

**Public  
Hearing  
(C/U  
No. 1501)**

**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 COMMUNITY RECREATIONAL CENTER AND PARKING TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 10.66 ACRES, MORE OR LESS" (Conditional Use No. 1501) filed on behalf of Rehoboth Bay Conservancy, LLC.**



**Public  
Hearing  
(C/U  
No. 1501)  
(continued)**

The Planning and Zoning Commission held a Public Hearing on this application on August 14, 2003, at which time they deferred action. Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing. The summary of the Commission was admitted as part of the record of this Public Hearing.

The Council found that Andy Strine was present on behalf of the application and stated in his presentation that they propose to build a clubhouse facility for the residents of West Bay Park Mobile Home Community; that the park contains 360 homesites; that a small recreational building exists within the park and that the building is not adequate to serve the number of residents; and that the clubhouse is intended for the use of the residents of the park and will not be leased out to other users.

Public comments were heard. Comments in support referenced that there would not be an increase in traffic since the use of the facility will be limited to residents; that there are rules within the park regarding golf carts; and that the park has a community patrol for security purposes.

Comments in opposition referenced concerns about the use of the property and other uses that may be permitted as accessory to the use; concerns about trespassing; concerns about golf carts crossing Route 279; concerns about increased parking spaces, more asphalt, and drainage problems; concern about security issues; concern about how the park plans on enforcing regulations; concern about times of operation; concern that the site should be fenced to eliminate trespassing that is already taking place; and concern about the access to the clubhouse site.

The Public Hearing was closed.

**M 487 03  
Defer  
Action  
(C/U  
No. 1501)**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to defer action on Conditional Use No. 1501 filed on behalf of Rehoboth Bay Conservancy, LLC.

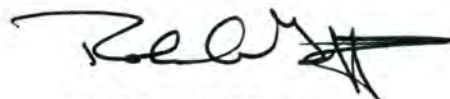
**Motion Adopted: 5 Yea.**

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

**M 488 03  
Adjourn**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 2:23 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,



**Robin A. Griffith  
Clerk of the Council**