

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, DECEMBER 16, 2003

Call to Order The regular meeting of the Sussex County Council was held Tuesday, December 16, 2003, at 6:30 p.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

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

Recommendation to Amend Agenda Mr. Phillips requested that Conditional Use No. 1492 and Conditional Use No. 1513, under Old Business, be removed from the Agenda and asked if there was a consensus to delete additional items under Old Business due to the fact that the Agenda was so lengthy. There was no consensus to remove additional items from the Agenda.

M 686 03 Approve Agenda A Motion was made by Mr. Dukes, seconded by Mr. Cole, to approve the Agenda, with the deletion of Conditional Use No. 1492 and Conditional Use No. 1513 under Old Business.

Motion Adopted: 4 Yea, 1 Nay.

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

M 687 03 Approve Minutes A Motion was made by Mr. Jones, seconded by Mr. Cole, to approve the minutes of December 2, 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

Correspondence Mr. Griffin read the following correspondence:

CHURCH OF GOD AND SAINTS OF CHRIST, SEAFORD, DELAWARE.

RE: Letter in appreciation of grant.

**Corre-
spondence
(continued)**

**MAYOR DAVID L. RUFF AND JOSEPH M. MCCABE, COUNCIL AND
CHAIRMAN, TOWN OF BLADES, BLADES, DELAWARE.
RE: Letter in appreciation of grant.**

**Wastewater
Facilities**

Mr. Stickels discussed wastewater facilities constructed in Long Neck Back Bay Center, located in the Long Neck Sanitary Sewer District.

**M 688 03
Authorize
Execution
of Agree-
ments/
Back
Bay
Park
Center**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, based upon the recommendation of the Sussex County Engineering Department, for Sussex County Project No. 81-04, Agreement No. 299, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Back Bay Park Center, L.L.C., for wastewater facilities to be constructed in Long Neck Back Bay Center, located in the Long Neck Sanitary Sewer District.

Motion Adopted: 5 Yea.

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

**Request
to Cancel
Meeting**

Mr. Stickels advised Council that a quorum of Councilmembers may not be present at the December 30th Council meeting, and for this reason, asked Council to consider canceling the meeting.

**M 689 03
Cancel
12/30/03
Council
Meeting**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to cancel the December 30, 2003 Council meeting.

Motion Adopted: 5 Yea.

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

**Draft
Ordinance/
Fees for
the
Register
of Wills**

Mr. Stickels presented an amended draft ordinance entitled "AN ORDINANCE PROVIDING FOR THE FEES FOR THE REGISTER OF WILLS, IN AND FOR SUSSEX COUNTY". The draft ordinance was introduced on December 2nd; however, it was later determined that the text was not in proper form. The draft ordinance was rewritten by the County Attorney and distributed on this draft for re-introduction. The draft ordinance, as amended, includes information that is to be deleted from the current ordinance in addition to the new information.

**M 690 03
Withdraw
Proposed
Ordinance**

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to withdraw the Proposed Ordinance entitled "AN ORDINANCE PROVIDING FOR THE FEES FOR THE REGISTER OF WILLS, IN AND FOR SUSSEX COUNTY" as introduced on December 2, 2003.

Motion Adopted: 4 Yea, 1 Absent.

M 690 03
(continued)

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

Introduce
Proposed
Ordinance,
As Amended

Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE PROVIDING FOR THE FEES FOR THE REGISTER OF WILLS, IN AND FOR SUSSEX COUNTY” (as amended). The Proposed Ordinance will be advertised for Public Hearing.

Adminis-
trator's
Report

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

1. Airport Meeting

The next regularly scheduled meeting of the Sussex County Airport Committee will be held on Wednesday, January 7, 2004, at the Sussex County Administrative Office West Complex, North DuPont Highway, Georgetown, Delaware. The meeting will start at 6:00 p.m. and is open to the media as well as the general public.

2. Beneficial Acceptance

The Sussex County Engineering Department granted Beneficial Acceptance on December 2, 2003, for Sussex County Project No. 81-04, Agreement No. 307, Bridle Ridge, in the Bethany Beach Sanitary Sewer District. On December 4, 2003, the Engineering Department granted Beneficial Acceptance for The Reserves of Nassau, Sussex County Project No. 81-04, Agreement No. 268, West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District. Included with this report is a fact sheet for each project.

3. Delaware Department of Transportation Public Workshop

The Delaware Department of Transportation (DelDOT) is holding a Public Workshop to share information and receive input on the preparation of the Statewide Pedestrian Master Plan. The purpose of the Plan is to guide the provision of pedestrian facilities along State facilities in Delaware. It will include design guidelines for sidewalks, crosswalks, and access ramps. The Plan will recommend priority areas for the provision of pedestrian facilities and is intended to help the State achieve its goal of providing a more livable environment.

DelDOT will be conducting a workshop in Sussex County on Thursday, January 8, 2004, from 4:00 to 7:00 p.m. at the Sussex County Administrative Office West Complex, North DuPont Highway, Georgetown, Delaware.

4. Government Holiday Schedule

**Administrator's
Report
(continued)**

Sussex County offices will be closed on Thursday, December 25, and Friday, December 26, to allow employees to observe the Christmas holiday. Offices will reopen at 8:30 a.m. on Monday, December 29. The County Council will not hold a meeting on Tuesday, December 23, 2003.

**Blades
SSD/
Agreement
with the
City of
Seaford**

Mr. Archut, Assistant County Engineer, discussed an Agreement between the Blades Sanitary Sewer District and the City of Seaford. Mr. Archut explained that the original agreement with the City of Seaford that was signed on June 29, 1977 expired on April 2, 2002. Since February 2002, the County has been negotiating with the City of Seaford for the renewal of the Agreement. Mr. Archut reviewed the key points of the Agreement:

- Requires service to be restricted to the Blades Sanitary Sewer District (BLSSD) which is defined as the corporate limits of the Town of Blades. Changes to the district boundaries must be approved by the City Council, but do not require an amendment to the Agreement.
- Specifies an initial 10-year contract period with a 10-year renewal.
- Increases treatment capacity from 80,000 gpd to 100,000 gpd and allows for the purchase of additional capacity in two 10,000 gpd increments, for a total of 120,000 gpd.
- Specifies that the County will be billed monthly for operations and maintenance costs based on the percentage of flow.
- Allows for a surcharge for wastewater that exceeds normal wastewater strength as defined in the Agreement.
- Increases the share of the debt that the BLSSD must assume based on the additional capacity purchased.
- Requires payment of impact fees to the City of Seaford, based on 75 percent of the City's rate.

Mr. Archut noted that the Agreement does not require any amendments.

**M 691 03
Authorize
Agreement
with the
City of
Seaford**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, that the President of the Sussex County Council is authorized to execute an Agreement with the City of Seaford, on behalf of the Blades Sanitary Sewer District, for wastewater treatment.

Motion Adopted: 5 Yea.

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

**Old
Business/
C/U
No. 1466**

Council discussed the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR 38 DUPLEX STYLE HOMES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX

**Old
Business/
C/U
No. 1466
(continued)**

COUNTY, CONTAINING 11.96 ACRES, MORE OR LESS” (Conditional Use No. 1466) filed on behalf of Bridle Ridge Properties, Inc.

The Planning and Zoning Commission held a Public Hearing on this application on October 24, 2002. On November 14, 2002 the Commission recommended that the application be approved with nine conditions.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearing and related discussions. The summary and the findings and recommendation of the Commission were admitted as part of the County Council’s record.

The County Council discussed the recommendation of the Planning and Zoning Commission. It was the consensus of Council to delete Condition No. 5 recommended by the Planning and Zoning Commission.

(The County Council held a Public Hearing on this application on November 12, 2002.)

**M 692 03
Adopt
Ordinance
No. 1646
(C/U
No. 1466)**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to Adopt Ordinance No. 1646 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR 38 DUPLEX STYLE HOMES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSEX COUNTY, CONTAINING 11.96 ACRES, MORE OR LESS” (Conditional Use No. 1466) filed on behalf of Bridle Ridge Properties, Inc., with the following conditions:

- 1. The maximum number of units shall not exceed 38 units, which shall be located in the 19 duplex buildings.**
- 2. The minimum size of each unit shall be 2,000 square feet.**
- 3. The project shall be served by central sewer.**
- 4. The project shall be served by a central water system providing adequate drinking water and fire protection as required by applicable regulations.**
- 5. A vinyl Clad Fence, a minimum of six (6) feet in height shall be erected on the subject site a reasonable distance from the Cypress trees along the lands of Brittany Acres Subdivision to allow for care and maintenance of the trees.**
- 6. Interior streets shall be built to Sussex County street specifications and shall include street lighting and sidewalks.**
- 7. Property addressing of the project shall be submitted to the County Addressing Division for review and approval.**
- 8. The site plan shall be subject to the review and approval of the Planning and Zoning Commission upon receipt of all agency approvals.**

Motion Adopted: 3 Yea, 2 Nay.

**M 692 03
(continued)**

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

**Old
Business/
C/U
No. 1502**

The County Council discussed the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 34.09 ACRES, MORE OR LESS” (Conditional Use No. 1502) filed on behalf of Windmill Ventures, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on August 28, 2003. On September 25, 2003 the Commission recommended that the application be denied.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearing and related discussions. The summary and the findings and recommendation of the Commission were admitted as part of the County Council’s record.

The County Council discussed the recommendation of the Planning and Zoning Commission.

(The County Council held a Public Hearing on this application on September 16, 2003.)

**M 693 03
Adopt
Ordinance
No. 1647
(C/U
No. 1502)**

A Motion was made by Mr. Phillips, seconded by Mr. Dukes, to Adopt Ordinance No. 1647 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 34.09 ACRES, MORE OR LESS” (Conditional Use No. 1502) filed on behalf of Windmill Ventures, LLC, with the following conditions:

- 1. The maximum number of residential units shall not exceed 106.**
- 2. All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the applicant in accordance with DelDOT’s determination.**
- 3. Recreational facilities and amenities shall be constructed and open to use by residents of the development within two years of the issuance of the first residential building permit. These amenities shall include a swimming pool and clubhouse.**
- 4. The development shall be served as part of the Ocean View expansion of the Bethany Beach Sanitary Sewer District in accordance with Sussex County Engineering Department specifications.**
- 5. The development shall be served by a public central water system**

**M 693 03
(continued)**

- providing adequate drinking water and fire protection as required by applicable regulations.
6. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements. BMP's shall be incorporated into the system design to minimize any environment impact.
 7. Site plan review for each phase of development shall be subject to approval of the Planning and Zoning Commission.
 8. The interior street design shall be in accordance with or exceed Sussex County street design requirements and/or specifications.
 9. The applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscape design.
 10. No site preparation, site disturbance, site excavation or other site construction shall be commenced until all permits required by all other laws, ordinances, rules and regulations shall have been issued and the approved final site plan is recorded, except site work for which a permit has been issued by the Sussex Conservation District. The site work authorized by the Sussex Conservation District permit may be commenced upon submission of copies of the application for permits from the Sussex County Engineering Department and DelDOT to the Director of Planning and Zoning and submission of a bond in an amount equal to 125% of the cost of the site work authorized by the Sussex Conservation District and in a form acceptable to the County Attorney. The Bond shall be released upon the issuance of all other permits and the filing of an approved master plan or final site plan.
 11. Construction, site work, grading and deliveries of construction materials, landscape materials and fill, on, off or to the property, shall only occur between the hours of 7:00 a.m. and 6:00 p.m., Monday through Saturday.
 12. A 30 foot forested buffer shall be provided on the southerly and northerly boundaries of the development. A 50 foot forested buffer shall be provided along the easterly boundary of the development.
 13. Addressing and street naming shall be reviewed and approved by the Sussex County Mapping and Addressing Division.
 14. Landscape and lawn maintenance shall be the responsibility of the Condominium Association. Best management practices will be utilized to minimize any environmental impact.
 15. Sidewalk and streetlighting shall be provided.

Motion Adopted: 3 Yea, 2 Nay.

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

**Old
Business
(C/U
No. 1507)**

The County Council discussed the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES (52 UNITS) TO BE LOCATED ON A

**Old
Business
(C/U
No. 1507)
(continued)**

CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.07 ACRES, MORE OR LESS” (Conditional Use No. 1507) filed on behalf of North Beach, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on September 25, 2003. On October 9, 2003 the Commission recommended that the application be approved with fourteen conditions.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearing and related discussions. The summary and the findings and recommendation of the Commission were admitted as part of the County Council’s record.

The County Council discussed the recommendation of the Planning and Zoning Commission.

(The County Council held a Public Hearing on this application on October 14, 2003.)

Mr. Lank, Director of Planning and Zoning, noted that at the Public Hearing on this application, Mr. Cole questioned whether DelDOT considered projects recently approved/in the pipeline in their calculations. DelDOT’s response to this question was “no”; that they base their information on traffic counts.

**M 694 03
Adopt
Ordinance
No. 1648
(C/U
No. 1507)**

A Motion was made by Mr. Dukes, seconded by Mr. Jones, to Adopt Ordinance No. 1648 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES (52 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.07 ACRES, MORE OR LESS” (Conditional Use No. 1507) filed on behalf of North Beach, LLC, with the following conditions:

1. The maximum number of residential units shall not exceed 40 units.
2. All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the applicant in accordance with DelDOT’s determination.
3. Recreational facilities, e.g. swimming pool and bathhouse, shall be constructed and open to use by residents within two years of issuance of the first building permit for the project.
4. The development shall be served as part of the Sussex County Cedar Neck Sewer District.
5. The project shall be served by a public central water system providing adequate drinking water and fire protection as required by applicable regulations.
6. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County

**M 694 03
(continued)**

- requirements, and the project shall utilize Best Management Practices to construct and maintain these fixtures.
7. Site plan review for each phase of development shall be subject to approval of the Planning and Zoning Commission.
 8. The interior street design shall be in accordance with or exceed Sussex County street design requirements. Sidewalks shall be installed along one side of all streets.
 9. The applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscape design.
 10. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill, on, off, or to the property shall only occur between the hours of 7:00 a.m. and 6:00 p.m.
 11. Fencing shall be located along the westerly side of the property along the boundary of the project with Pond Acres.
 12. No pier or dock shall be constructed from the project onto the Salt Pond.
 13. Landscape and lawn maintenance shall be the responsibility of the Condominium Association. Best Management Practices shall be utilized to minimize any environmental impact.
 14. Lighting from the parking areas and pool areas shall be directed away from the neighboring Pond Acres properties. In addition, the lighting shall be low-intensity to prevent glare.
 15. Addressing and street naming shall be reviewed and approved by the Sussex County Mapping and Addressing Division.

Motion Adopted: 4 Yea, 1 Nay.

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

**Old
Business
(C/U
No. 1511)**

The County Council discussed the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRODUCE SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.91 ACRE, MORE OR LESS" (Conditional Use No. 1511) filed on behalf of Anthony L. Freeman.

The Planning and Zoning Commission held a Public Hearing on this application on October 23, 2003. On November 6, 2003 the Commission recommended that the application be approved with five conditions.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing and related discussions. The summary and the findings and recommendation of the Commission were admitted as part of the County Council's record.

**Old
Business
(C/U
No. 1511)
(continued)**

The County Council discussed the recommendation of the Planning and Zoning Commission.

(The County Council held a Public Hearing on this application on November 4, 2003.)

Mr. Lank, Director of Planning and Zoning, reported that the applicant has provided a new entrance permit from DelDOT limiting entrance to the property to Road 275.

It was noted that this application does not consist of a request for a permanent structure; the applicant plans to haul a wagon to and from the site and will not leave the wagon on the site over-night.

Mr. Stickels advised the Council that a State Law has been passed which states that agricultural activities in an AR-1 District with a structure of less than 750 square feet are exempt from County zoning. Councilmembers questioned if conditions could be placed on this application since State Law exempts the use from County zoning. Mr. Griffin noted that the application was made on April 23, 2003, prior to the adoption of the State Law and that the applicant has not requested the withdrawal of the application. Mr. Griffin stated his opinion that the Council could proceed with action on the application, including attaching conditions to the approval. Mr. Stickels stated that he would place this legislation on a future County Council agenda.

**M 695 03
Adopt
Ordinance
No. 1649
(C/U
No. 1511)**

A Motion was made by Mr. Jones, seconded by Mr. Phillips, to Adopt Ordinance No. 1649 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRODUCE SALES FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.91 ACRE, MORE OR LESS" (Conditional Use No. 1511) filed on behalf of Anthony L. Freeman, with the following conditions:

- 1. Sales shall only occur during daylight hours.**
- 2. The Applicant shall only sell produce grown by him or his family.**
- 3. There shall not be any permanent structures.**
- 4. There shall not be any entrance to the property from County Road 277.**
- 5. The Applicant shall comply with all DelDOT requirements, including entrance permits.**

Motion Adopted: 5 Yea.

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

**Old
Business
(C/Z
No. 1520)**

The Council discussed the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 22,500 SQUARE FEET, MORE OR LESS” (Change of Zone No. 1520) filed on behalf of David Reichert and Rebecca LeBlanc.

The Planning and Zoning Commission held a Public Hearing on this application on October 23, 2003. On November 6, 2003 the Commission recommended that the application be denied.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearing and related discussions. The summary and the findings and recommendation of the Commission were admitted as part of the County Council’s record.

The County Council discussed the recommendation made by the Planning and Zoning Commission.

(The County Council held a Public Hearing on this application on November 4, 2003. It was noted that on that date, there were no parties present on behalf of the applicant.)

**M 696 03
Adopt
Proposed
Ordinance
(C/Z
No. 1520)
(Denied)**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to Adopt the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 22,500 SQUARE FEET, MORE OR LESS” (Change of Zone No. 1520) filed on behalf of David Reichert and Rebecca LeBlanc.

Motion Denied: 5 Nay.

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

The County Council based their decision to deny this application on the recommendation and findings of the Planning and Zoning Commission and based on the fact that there was no record of support of the application at the November 4, 2003 Public Hearing.

**Old
Business**

The County Council discussed the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL

**Old
Business
(C/Z
No. 1521)**

DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.5891 ACRES, MORE OR LESS” (Change of Zone No. 1521) filed on behalf of 1st State Storage Company.

The Planning and Zoning Commission held a Public Hearing on this application on October 23, 2003. On November 6, 2003 the Commission recommended that the application be approved.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission’s Public Hearing and related discussions. The summary and the findings and recommendation of the Commission were admitted as part of the County Council’s record.

The County Council discussed the recommendation of the Planning and Zoning Commission.

(The County Council held a Public Hearing on this application on November 4, 2003.)

Mr. Lank, Director of Planning and Zoning, noted that at the conclusion of the Public Hearing before the County Council, the Council decided to leave the record open for a copy of the deed restrictions. Mr. Lank reported that the Restrictive Covenants for the Village of Saulsbury Switch specify that all property owners within the subdivision are on notice that the lots that are part of this application can be used for either commercial purposes or for multi-family dwellings. In addition, the possible commercial use of these lots is stated on the recorded subdivision plan.

**M 697 03
Adopt
Ordinance
No. 1650
(C/Z
No. 1521)**

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt Ordinance No. 1650 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 GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 1.5891 ACRES, MORE OR LESS” (Change of Zone No. 1521) filed on behalf of 1st State Storage Company.

Motion Adopted: 5 Yea.

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

Requests

Mr. Stickels presented funding requests for the County Council’s consideration.

**M 698 03
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to give \$750.00 (\$150.00 from each Councilmanic Account) to the Beebe Medical Foundation to assist with costs associated with obtaining names and addresses of Sussex County property owners for the VISION 2005 Capital Campaign fundraising effort for Beebe Medical Center.

Motion Adopted: 5 Yea.

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

**M 699 03
Council-
manic
Grant**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to give \$250.00 from Mr. Rogers' Councilmanic Account to the Delaware River and Bay Lighthouse Foundation, Inc. for the 2004 Lighthouse Legacy Campaign.

Motion Adopted: 5 Yea.

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

**M 700 03
Council-
manic
Grant**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to give \$500.00 from Mr. Rogers' Councilmanic Account to the Milton Community Christmas Parade for parade expenses.

Motion Adopted: 5 Yea.

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

**M 701 03
Council-
manic
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Jones, to give \$1,250.00 (\$250.00 from each Councilmanic Account) to Sussex County Senior Services, Inc./CHEER for the Emergency Response System Program.

Motion Adopted: 5 Yea.

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

**M 702 03
Council-
manic
Grant**

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$500.00 (\$250.00 each from Mr. Dukes' and Mr. Phillips' Councilmanic Accounts) to the Laurel Chamber of Commerce for expenses associated with the 2003 Christmas Parade.

Motion Adopted: 5 Yea.

**M 702 03
(continued)**

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

**M 703 03
Youth
Activity
Grant**

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$400.00 (\$200.00 each from Mr. Dukes' and Mr. Jones' Youth Activity Grant Accounts) to the Boys and Girls Club of Western Sussex for operating expenses.

Motion Adopted: 5 Yea.

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

**Introduction
of 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 A BOAT STORAGE YARD TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 10.7806 ACRES, MORE OR LESS, OF A 95.21 ACRE TRACT (Conditional Use No. 1551) filed on behalf of Shorts Marine. The Proposed Ordinance will be advertised for Public Hearing.

**Introduction
of 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 PROFESSIONAL OFFICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.5417 ACRES, MORE OR LESS" (Conditional Use No. 1552) filed on behalf of NCORB, LLC. The Proposed Ordinance will be advertised for Public Hearing.

**Introduction
of 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 A PAPER RECYCLING CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 6.35 ACRES, MORE OR LESS" (Conditional Use No. 1553) filed on behalf of Clint Phillips. The Proposed Ordinance will be advertised for Public Hearing.

**Introduction
of Proposed
Ordinance**

Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A C-1 GENERAL COMMERCIAL DISTRICT FOR A MINIATURE GOLF COURSE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 6.7684 ACRES, MORE OR LESS" (Conditional Use No. 1554) filed on behalf of Fulmer Enterprises, Inc. The Proposed Ordinance

(continued) will be advertised for Public Hearing.

Introduction of 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 MULTI-FAMILY DWELLING STRUCTURES (122 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 15.29 ACRES, MORE OR LESS" (Conditional Use No. 1555) filed on behalf of Paul Robino and Robino-Sanibel Village, LLC. The Proposed Ordinance will be advertised for Public Hearing.

Introduction of Proposed Ordinance Mr. Phillips introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A GR GENERAL RESIDENTIAL DISTRICT TO AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 10.7806 ACRES, MORE OR LESS, OF A 95.21 ACRE TRACT" (Change of Zone No. 1551) filed on behalf of Shorts Marine. The Proposed Ordinance will be advertised for Public Hearing.

Introduction of Proposed Ordinance Mr. Phillips 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-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 112.28 ACRES, MORE OR LESS" (Change of Zone No. 1552) filed on behalf of Nassau Grove, LLC. The Proposed Ordinance will be advertised for Public Hearing.

Recess At 8:20 p.m., Mr. Rogers declared a short recess.

Reconvene Mr. Rogers called Council back into session at 8:30 p.m.

M 704 03 A Motion was made by Mr. Dukes, seconded by Mr. Jones, to change the
Change schedule for Public Hearings, as follows:
Public

Hearing Conditional Use No. 1514
Schedule Tanya Lewis

Change of Zone No. 1524
Patrick Tell

Change of Zone No. 1525
Anderson Homes, LLC

M 704 03
(continued)

Motion Adopted: 4 Yea, 1 Abstention.

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

**Public
Hearing
(C/U
No. 1514)
Public
Hearing
(continued)**

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 RETAIL CAR SALES LOT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 1.24 ACRES, MORE OR LESS" (Conditional Use No. 1514) filed on behalf of Tanya Lewis.

The Planning and Zoning Commission held a Public Hearing on this application on November 20, 2003. The Commission recommended that the application be denied based on a lack of record of support for the application since no one appeared on behalf of the application. It was further noted that both the Applicant and Ms. Balliet, Attorney for the Applicant, received notices of the Public Hearing.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing. The summary was admitted as part of the record of this Public Hearing.

Mr. Lank, Director of Planning and Zoning, read a letter dated December 10, 2003 received from Heidi Balliet, Attorney for the Applicant, requesting a postponement of the Public Hearing until February since her client is scheduled for surgery on the same date as the Hearing. It was noted that the Applicant did not have to be present for the Public Hearing, but could be represented by Ms. Balliet.

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

M 705 03
Adopt
Proposed
Ordinance
(C/U
No. 1514)
(Denied)

A Motion was made by Mr. Jones, seconded by Mr. Dukes, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RETAIL CAR SALES LOT TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 1.24 ACRES, MORE OR LESS" (Conditional Use No. 1514) filed on behalf of Tanya Lewis.

Motion Denied: 5 Nay.

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

**Reasons
for Denial**

The Council based their decision for denial on the fact that no one appeared on behalf of the application at the Public Hearings and there was no record of support for the application.

**Public
Hearing
(C/Z
No. 1524)**

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 19,256 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1524) filed on behalf of Patrick Tell.

The Planning and Zoning Commission held a Public Hearing on this application on November 20, 2003 at which time they recommended that the application be approved since the site has been historically used for commercial purposes; since the uses would be in character with the surrounding area; and since no adverse traffic impact is anticipated.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing. The summary was admitted as part of the record of this Public Hearing.

The Council found that Patrick Tell was present and submitted a brochure containing information and pictures relating to the project. Mr. Tell stated that the property is an historic site; that it was a commercial site dating back to 1900; that his intent is to restore the property back to its original condition and make a fine dining restaurant, a 10-12 unit bed and breakfast, and a coffee shop; that he plans a complete restoration of the pier and gazebo; and that the completion of the project should take place in 3 to 5 years, depending upon the completion of the Oak Orchard Sanitary Sewer District.

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

**M 706 03
Adopt
Ordinance
No. 1651
(C/Z
No. 1524)**

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to Adopt Ordinance No. 1651 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-1 GENERAL COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 19,256 SQUARE FEET, MORE OR LESS" (Change of Zone No. 1524) filed on behalf of Patrick Tell.

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/Z
No. 1525)**

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 MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 32.75 ACRES, MORE OR LESS" (Change of Zone No. 1525) filed on behalf of Anderson Homes, LLC.

The Planning and Zoning Commission held a Public Hearing on this application on November 20, 2003 at which time they recommended that the application be approved with thirteen conditions.

Mr. Lank, Director of Planning and Zoning, read a summary of the Commission's Public Hearing. The summary was admitted as part of the record of this Public Hearing.

Mr. Lank stated that he has received two letters since the Public Hearing before the Planning and Zoning Commission. One letter was from the Mr. Steve McCabe, Public Works Department, Sussex County Engineering Department, to Chris Calio, Planning and Permits Department, Sussex County Engineering Department. In his letter Mr. McCabe recommends that the proposed project should be subject to a review by the Planning and Zoning Commission's Technical Advisory Committee; that the roads should be constructed and inspected in accordance with street design requirements outlined in Chapter 99 of the Sussex County Code; that Lots 1-10 and 87-93 have road frontage on both sides of each lot; that stormwater management is conveyed to the stormwater management pond where the sidewalks are shown in the right-of-way between properties and the street; that a minimum 40 foot turning radius should be provided at all turns and intersections, and dimensions should be provided for the adequate review of the divided lane and island widths; that a subdivision already exists with the name "Summerset" and this subdivision should be renamed to avoid confusion; that the title sheet states "preliminary major subdivision plan" while the application lists the project as a "residential planned community" and this should be clarified as the project has to be a medium density zoned subdivision or a residential planned community.

Mr. Lank reported that a letter was received from Martin and Jeannie Eichner, property owners in Midway Acres, stating that their property will be directly affected by the proposed project and that they have serious concerns about the project relating to density, setbacks, protection of trees and plants, and use of a private road.

The Council found that James Fuqua, Attorney; Steve Anderson, President of Anderson Homes; and Ramesh Batta of Ramesh C. Batta Associates, Inc. were present on behalf of the application. Mr. Fuqua stated that the project is for the development of a 32.75 acre site with 101 single family lots and

**Public
Hearing
(C/Z
No. 1525)
(continued)**

that the density of three units per acre is very consistent with the area. Mr. Fuqua noted that the first condition recommended by the Planning and Zoning Commission states that "The maximum number of residential lots shall not exceed 95. The applicant has sought approval of 101 lots, with only limited open space or amenities. The applicant shall eliminate at least 6 lots from its project and use the area of the eliminated lots for more open space and amenities."

Mr. Fuqua stated that they are requesting approval of 101 lots and they have prepared a revised site plan to address the Commission's concerns without reducing the number of lots. Mr. Fuqua reviewed the revised site plan and pointed out that some of the lots have been reduced in size and some lots were relocated to provide more open space. He noted that the tennis courts could also be moved to the same area as the other recreational facilities. Mr. Batta noted that the revised site plan provides approximately 5.2 acres of open space.

Based on the alternative site plan, Mr. Fuqua asked Council to consider the following change to Condition No. 1 of the Planning and Zoning Commission's recommended conditions: "The maximum number of residential lots shall not exceed 101. The applicant shall revise lot lines within the development to create more open space."

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

**M 707 03
Adopt
Ordinance
No. 1652
(C/Z
No. 1525)**

A Motion was made by Mr. Cole, seconded by Mr. Phillips, to Adopt Ordinance No. 1652 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 A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 32.75 ACRES, MORE OR LESS" (Change of Zone No. 1525) filed on behalf of Anderson Homes, LLC., with the following conditions:

1. The maximum number of residential lots shall not exceed 101 (based on the revised site plan submitted by the applicant to the Sussex County Council on December 16, 2003). The applicant shall revise lot lines within the development to create more open space.
2. All entrance, intersection, roadway and multi-modal improvements required by DelDOT shall be completed by the applicant in accordance with DelDOT's present and future determinations. As required by DelDOT, any bicycle, pedestrian or vehicular interconnections to this property provided in the HR-RPC project to the North of this property and the C-1 property to the South should be matched. This includes the right-of-way area for the future construction of the north-south local

M 707 03
(continued)

- road, if required by DelDOT.
3. Recreational facilities and amenities shall be constructed and open to use by residents of the development within two years of the issuance of the first building permit. These amenities shall be identified by the applicant as part of the Commission's site plan review.
 4. The Development shall be served as part of the West Rehoboth Sanitary Sewer District in accordance with the Sussex County Engineering Department specifications and regulations.
 5. The MR-RPC shall be served by a public central water system providing adequate drinking water and fire protection as required by applicable regulations.
 6. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements.
 7. The Applicant, its successors and/or assigns, including a homeowners association that will be formed, shall operate the stormwater management facilities in a manner that is consistent with Best Management Practices (BMPs) as further described in the Applicant's documents submitted into the record.
 8. Site plan review for each phase of development shall be subject to the approval of the Planning and Zoning Commission.
 9. The interior street design shall be in accordance with or exceed Sussex County street design requirements and/or specifications. Street design shall include curbs, sidewalks on both sides of the streets, and street lighting.
 10. The Applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscape design.
 11. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill, on, off, or to the property shall only occur from Monday through Saturday and only between the hours of 7:00 a.m. and 6:00 p.m.
 12. The Applicant shall cause to be formed a homeowners association to be responsible for the maintenance of the streets, roads, buffers, open spaces, stormwater management facilities and other common areas.
 13. The Applicant is encouraged to eliminate double frontage lots. If double frontage lots cannot be avoided, the existing lots with frontage on Dot Sparrow Drive and other internal streets shall not utilize Dot Sparrow Drive for lot access.
 14. Tennis courts shall be relocated to the larger open space area.

Motion Adopted: 5 Yea.

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

M 708 03
Adjourn

A Motion was made by Mr. Dukes, seconded by Mr. Phillips, to adjourn at 9:35 p.m. Motion Adopted by Voice Vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'R. Griffith', with a long horizontal line extending to the right.

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