

SUSSEX COUNTY COUNCIL-GEORGETOWN, DELAWARE-DECEMBER 27, 1990

Call to
Order

The regular meeting of the Sussex County Council was held on Thursday, December 27, 1990 at 10:00 a.m. in the Council Chambers, Courthouse, Georgetown, Delaware, with the following members present:

William D. Stevenson, Sr.	President
R. James Mariner	Vice-President
Ralph E. Benson	Member
George B. Cole	Member
Dale R. Dukes	Member

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

M 556 90
Approval
of Minutes

A Motion was made by Mr. Mariner, seconded by Mr. Stevenson, to approve the minutes of the previous meeting as submitted. Motion Adopted by Voice Vote.

Corre-
spondence

Mr. Jones, Acting County Attorney, read the following correspondence:

DELAWARE RIVER BASIN COMMISSION, WEST TRENTON, NEW JERSEY
RE: Notice of Commission Public Hearing.

US ARMY CORPS OF ENGINEERS, PHILADELPHIA DISTRICT,
PHILADELPHIA
RE: Notice soliciting comments and recommendations from the public concerning the issuance of a permit for work at Lewes Ditch (Nanticoke River), 400 Woodland Road, Seaford. The purpose of the project is to prevent fish migration into the cooling water stream of the duPont Seaford Nylon Plant as required by a National Pollution Discharge Elimination System Permit.

DELMARVA ADVISORY COUNCIL, SALISBURY
RE: Their November/December newsletter.

DELAWARE NATURE SOCIETY, HOCKESSIN
RE: Listing the 1991 Winter Programs at Ashland Nature Center and Abbotts Mill Nature Center.

DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL,
DAVID S. HUGG, III, DIRECTOR, MANAGEMENT & OPERATIONS, DOVER
RE: Nanticoke River Advisory and Technical Committee Meeting scheduled for Monday, January 7, 1991, at 7:00 p.m. at the Seaford Police Department Conference Room.

December 27, 1990

Rehoboth
Shores
Update

Mr. Lank, Director of Planning and Zoning, reviewed the revised survey for Rehoboth Shores as presented by the developer on December 21, 1990. Approximately ninety percent (90%) of the violations have been satisfied on paper; not in the field. A Plot Plan has been redrawn based on the survey and the majority of the violations can be corrected, and the square footage requirements can be maintained. The remaining violations will be addressed.

M 557 90
Sign Sub-
division
Pondview
Estates

A Motion was made by Mr. Benson, seconded by Mr. Dukes, authorizing the Council President to sign Subdivision Plan No. 90-9, Pondview Estates. Motion Adopted: 5 Yea.

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

Long
Neck
SSD

Mr. Green, Chief of Utility Construction, reviewed a summary of Contract Nos. 4 and 5 for Long Neck Sanitary Sewer District. The summary revealed that the actual contract sum plus the approved and requested change orders still keep the total costs for each contract well under the original estimated costs submitted by the engineers.

M 558 90
Change
Order
Long
Neck
SSD
Contract
No. 4

A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon the recommendation of the Inspection Engineer, Kidde Consultants, Inc., and the County Engineering Department, authorizing the County Council President to issue Change Order No. 3 for the Long Neck Sanitary Sewer District Contract No. 4 to Teal Construction Company, Inc., for installation of three phase power to Pumping Station Nos. 74, 75, 76, and 78 for an additional amount of \$29,398.24, increasing this contract amount to \$4,347,838.51. Motion Adopted: 5 Yea.

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

M 559 80
Change
Order
Long
Neck
SSD
Contract
No. 5

A Motion was made by Mr. Cole, seconded by Mr. Benson, based upon the recommendation of the Inspection Engineer, Kidde Consultants, Inc., and the County Engineering Department, authorizing the County Council President to issue Change Order No. 2 for the Long Neck Sanitary Sewer District Contract No. 5 to Renda Contracting Company, Inc., for installation of three phase power to Pumping Station Nos. 81 and 82 for an additional amount of \$24,662.40, increasing this contract amount to \$2,224,416.95. Motion Adopted: 5 Yea.

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M 559 90
(Con't.)

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

Western
Land
Use
Plan

Mr. Lank, Director of Planning and Zoning, reviewed the Revised Implementation Plan of the Western Sussex Land Use Plan that incorporated the changes as recommended by the Planning and Zoning Commission and the recommendations as agreed upon by Council during the discussion over the past weeks. The following topics were reviewed: (a) Preserve and Protect Critical Natural Resource Areas; (b) Nanticoke River Environmental Development Protection; (c) Protect the Agricultural and Preserve Critical Agricultural Lands; (d) Transportation Issues and Major Arterial Corridor Preservation; (e) Groundwater Supply and Wastewater Treatment and Disposal; (f) Public Facilities and Services; (g) Zoning Ordinance; (h) Sunset Ordinance; and (i) Subdivision Regulations.

M 560 90
Adopt
Western
Land Use
Plan as
Amended

A Motion was made by Mr. Dukes, seconded by Mr. Benson, that the Sussex County Council Adopt the Western Sussex Land Use Plan as Amended December 18, 1990. Motion Adopted: 4 Yea; 1 Abstention.

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

Adminis-
trator's
Report

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

1. Sussex County Paramedic Program Receives Turkey Walk Award - The Sussex County Paramedic Program has been notified by the American Heart Association that they will be awarded a plaque for raising the most money and having the most members on a team in the annual American Heart Association Turkey Walk. The American Heart Association sponsored its annual Turkey Walk on Saturday, November 3, 1990 in Georgetown. The participants enlisted sponsors for their walk over the designated course through Georgetown, 3.2 miles. The Sussex County Paramedic Office organized a team of twelve (12) people, including Sussex County's Paramedic Director, paramedic students, paramedic secretary, family, and friends. The Sussex County Paramedic Program is committed to working with the American Heart Association to promote good heart health.

December 27, 1990

Adminis-
trator's
Report
(Con't.)

2. Department of Natural Resources and Environmental Control - Public Hearing - DNREC will be holding a public hearing regarding the application of Intervet, Inc. for an incinerator for animal disposal. The hearing will be held on Thursday, January 24, 1991 starting at 7:00 p.m. in the Gumboro Fire Hall, Gumboro, Delaware.

M 561 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to give \$1,000.00, from Mr. Mariner's Councilmanic Account, to The Gumboro Volunteer Fire Company Ladies Auxiliary to help with new floor covering. Motion Adopted: 5 Yea.

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

M 562 90
Council-
manic
Grant

A Motion was made by Mr. Mariner, seconded by Mr. Cole, to give \$300.00, from Mr. Mariner's Councilmanic Account, to Delmar Public Library, to help with purchasing a typewriter. Motion Adopted: 5 Yea.

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

M 563 90
Council-
manic
Grant

A Motion was made by Mr. Dukes, seconded by Mr. Cole, to give \$275.00, from Mr. Dukes' Councilmanic Account, to The Town of Laurel, to purchase banners for advertising the Laurel Recycling Center. Motion Adopted: 5 Yea.

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

C/U #942

Conditional Use No. 942, filed on behalf of Homestead Associates, Inc., was discussed. Public Hearing was held on July 31, 1990 and the record was left open for comments concerning the sewer system from DNREC.

M 564 90
Adopt
Ordinance
No. 740
C/U #942
with
Stipula-
tions

A Motion was made by Mr. Cole, seconded by Mr. Stevenson, to Adopt Ordinance No. 740 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EXTENSION TO AN EXISTING MOBILE HOME PARK FOR 35 ADDITIONAL LOTS AND AN AREA FOR DISPOSAL FIELDS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 46.22 ACRES, MORE OR LESS" (C/U #942) filed on behalf of Homestead Associates, Inc., with the following stipulations:

December 27, 1990

M 564 90
Ordinance
No. 740
Stipulations

1. All facilities in the existing park shall be connected to the new central wastewater system.
2. The site plan shall be subject to the review and approval of the Planning and Zoning Commission.
3. Existing streets are to be upgraded to County standards.
4. Existing water system will be upgraded to the standard of the new section.
5. Open space shall conform with the Site Plan dated December 17, 1990 in order to resolve concern of area landowners.

Motion Adopted: 3 Yea; 2 Nay.

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

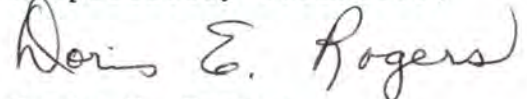
Findings
of Facts
C/U #942

The findings of facts and recommendations of the Planning and Zoning Commission were incorporated into the record and into the findings of facts of the Council. The Council reviewed the evidence which was submitted both at the Planning and Zoning Commission Hearing and the County Council Hearing. The Council found that the proposed use, an extension of an existing conditional use for a mobile home park, was generally of a public or semi-public character and was essential and desirable for the general convenience and welfare. The Council found that the requirements for a mobile home park conditional use, as stated in Section 115-172 (G) had been met. The Council approved the requested conditional use and imposed five (5) stipulations as set out above.

Adjourn

President Stevenson declared the meeting adjourned at 11:20 a.m.

Respectfully submitted,



Doris E. Rogers
Clerk of the County Council