

COUNTY COUNCIL

DOUGLAS B. HUDSON, PRESIDENT
JOHN L. RIELEY, VICE PRESIDENT
JANE GRUENEBAUM
MATT LLOYD
STEVE C. McCARRON



Sussex County

DELAWARE
sussexcountye.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

A G E N D A

August 12, 2025

12:30 P.M.

Call to Order

Approval of Agenda

Approval of Minutes - July 29, 2025

[Draft Minutes 072925](#)

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Board of Adjustments and Appeals Appointment
2. Administrator's Report

Mark Parker, Assistant County Engineer

1. Aeronautical Obstruction Removal, Project A25-26

A. Balancing Change Order & Project Closeout

[Aeronautical Obstruction Removal CO 1 & Closeout](#)



2. **EMS Paramedic Stations – Lincoln Station 101 & Milton Station 111**
 - A. **GMB Architectural Services Contract – Approval of Amendment No. 6**
 - B. **GMB Civil/Site Services Contract – Approval of Amendment No. 1**
- [EMS Stations Amendments](#)

Grant Requests

1. **Community Resource Center, Inc. for their Safe Harbor Homeless Day Shelter**
[Community Resource Center, Inc.](#)
2. **Cape Henlopen Senior Center for their Rehoboth Concert band fundraiser**
[Cape Henlopen Senior Center](#)
3. **Speak Out Against Hate Association for their youth education programs**
[Speak Out Against Hate](#)
4. **Sussex Land Foundation Inc. for their Dogfish Dash event**
[Sussex Land Foundation Inc](#)
5. **Unique Mind Changing Lives Inc. for their Summer Healthy eating food pantry**
[Unique Minds Changling Lives Inc](#)
6. **Autism Delaware, Inc. for their Snowflake Soiree 2025**
[Autism Delaware Inc](#)
7. **Friends of Prime Hook National Wildlife Refuge, Inc. for their family educational projects**
[Friends of Prime Hook National Wildlife](#)
8. **Delaware Law Enforcement Thank You Ride Association for their Thank You Ride 2025**
[DE Law Enforcement Thank You Ride](#)
9. **Developing Artist Collaboration for their final phase of the 2025 West Side creative market renovation**
[Developing Artist Collaboration](#)

Introduction of Proposed Zoning Ordinances

Council Members' Comments

Executive Session - Land Acquisition & Pending & Potential Litigation pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session Items

1:30 p.m. Public Hearings

1. **[Conditional Use No. 2395 filed on behalf of Breeze-A-Bella Land Group, LLC](#)**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A DISTRIBUTION WAREHOUSE TO BE LOCATED ON A 10.896 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 71.127 ACRES, MORE OR LESS” (property is lying on the south side of Park Avenue [S.C.R. 318] at the intersection of Park Avenue [S.C.R. 318] and Cedar Lane [S.C.R. 321A]) (911 Address: 22318 Cedar Lane, Millsboro) (Tax Map Parcel: 135-20.00-81.00)

[Public Hearing CU2395](#)

2. **[Conditional Use No. 2537 filed on behalf of Ryan Brower](#)**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL TRADE CONTRACTING BUSINESS WITH OFFICE AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.73 ACRES, MORE OR LESS” (property is lying the southeast side of Pettyjohn Road [S.C.R. 255], approximately 0.65 mile northeast of Prettyman Road [S.C.R. 254]) (911 Address: 18113 Prettyman Road, Milton) (Tax Map Parcel: 235-25.00-45.00)

[Public Hearing CU2537](#)

3. **[Conditional Use No. 2511 filed on behalf of Paulina Owedyk](#)**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL CONTRACTOR AND CONSTRUCTION BUSINESS WITH AN OFFICE, SHOWROOM, AND STORAGE INCLUDING VEHICLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.46 ACRE, MORE OR LESS” (property is lying the north side of Clay Road [S.C.R. 269], approximately 0.43 mile west of Kings Highway [Rt. 9]) (911 Address: 33847 Clay Road, Lewes) (Tax Map Parcel: 335-12.06-56.00)

[Public Hearing CU2511](#)

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on August 5, 2025 at 4:15 p.m. and at least seven (7) days in advance of the meeting.

This Agenda was prepared by the County Administrator and is subject to change to include the addition or deletion of items, including Executive Sessions, which arise at the time of the meeting.

Agenda items may be considered out of sequence.

The meeting will be streamed live at <https://sussexcountyde.gov/council-chamber-broadcast>.

The County provides a dial-in number for the public to comment during the appropriate time of the meeting. **Note, the on-line stream experiences a 30-second delay.**

Any person who dials in should listen to the teleconference audio to avoid the on-line stream delay.

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

Members of the public joining the meeting on the telephone will be provided an opportunity to make comments under the Public Comment section of the meeting and during the respective Public Hearing.

The Council meeting materials, including the “packet”, are electronically accessible on the County’s website at: <https://sussexcountyde.gov/agendas-minutes/county-council>.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 29, 2025

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 29, 2025, at 12:30 p.m., in Council Chambers, with the following present:

Douglas B. Hudson	President
John L. Rieley	Vice President
Jane Gruenebaum	Councilwoman
Matt Lloyd	Councilman
Steve C. McCarron	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

The Invocation and Pledge of Allegiance were led by Mr. Hudson.

**Call to
Order**

Mr. Hudson called the meeting to order.

**M 330 25
Approve
Agenda**

Mr. Lawson reported that the item under John Ashman, Director of Utility Planning & Design Review, can be removed. A Motion was made by Mr. McCarron, seconded by Mr. Lloyd, to approve the Agenda as amended.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Minutes

The minutes from July 22, 2025, were approved by consensus.

**Correspon-
dence**

There was no correspondence.

Public comments were heard.

**Public
Comments**

Mr. Rich Barrasso spoke about affordable housing in Sussex County.

Mr. Toro Luby spoke about accessory dwelling units.

Presentation

Mr. Philip Barnes, University of Delaware IPA spoke about Senate Bill 237. A discussion was held about the bill and feedback was provided.

**Retirement
Recognition**

Bill Pfaff, Economic Development Director, was recognized for his upcoming retirement.

**ED Appoint-
ment**

Mr. Lawson announced that Mr. Andrew Harton is being recommended for the Economic Development Director position. He added that this is an appointed position by the Council.

M 331 25
Approve ED
Director
Appoint-
ment

A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, be it moved that the Sussex County Council approve the appointment of Mr. Andrew Harton as the Director of Economic Development effective August 1, 2025.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Appoint-
ments/BOA

Mr. Lawson reported that there are two appointments needed for the Board of Adjustments and Appeals. Mr. Lloyd is recommending Mr. Jose Santos and Mr. Rieley is recommending Mr. Eric Evans.

M 332 25
Approve
BOA
Appoint-
ment

A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, that be it moved that the Sussex County Council approves the appointment of Mr. Jose Santos to the Sussex County Board of Adjustments and Appeals effective immediately for a term of four years.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

M 333 25
Approve
BOA
Appoint-
ment

A Motion was made by Mr. Rieley, seconded by Mr. McCarron, that be it moved that Sussex County Council approves the appointment of Mr. Eric Evans to the Sussex County Board of Adjustments and Appeals effective immediately for a term of four years.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Adminis-
trator's
Report

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

- 1. Project Receiving Substantial Completion**

Per the attached Engineering Department Fact Sheet, Chapel Branch Apartments (Plan Review & Construction Record) received Substantial Completion effective July 15th.

- 2. Council Meeting Schedule**

A reminder that Council will not meet on Tuesday, August 5th.

The next regularly scheduled Council meeting will be held on Tuesday, August 12th.

[Attachments to the Administrator's Report are not attached to the minutes.]

**Public
Hearing/
TidalHealth
Exempt
Bond**

A Public Hearing was held for "A RESOLUTION APPROVING IN ACCORDANCE WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF BONDS TO FINANCE PROJECTS FOR TIDALHEALTH NANTICOKE, INC. AND CERTAIN OF ITS AFFILIATES".

Mrs. Jennings reported that TidalHealth Nanticoke is a nonprofit healthcare organization operating in Sussex County and would like to issue up to \$140,000 of tax-exempt bonds, of which \$84,000 will be allocated to be used in Sussex County. A portion of these bonds will finance and/or refinance the acquisition, construction, improvement and/or equipping of healthcare facilities and other related properties in Sussex County.

In order for the bonds to qualify as a federally tax-exempt, the organization issuing the bonds must hold a public hearing in the county where the services are provided to satisfy Section 147(f) of the Internal Revenue Code.

She added that it is important to note that these bonds are obligations of TidalHealth Nanticoke and not Sussex County Government. The County Government simply provides a platform for the public hearing for the bonds to be tax-exempt.

Mr. Rieley questioned how the money will be used. Mr. Angel Agilar, Director of Facilities for TidalHealth, stated that the money will be used for construction to fit out a 93,000 square foot building located in Millsboro. He then provided the services that will be provided at the facility.

There were no public comments.

The Public Hearing and public record were closed.

**M 334 25
Adopt
Resolution
No. R 017
25/
TidalHealth
Exempt
Bonds**

A Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum to Adopt Resolution No. R 017 25 entitled "A RESOLUTION APPROVING IN ACCORDANCE WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF BONDS TO FINANCE PROJECTS FOR TIDALHEALTH NANTICOKE, INC. AND CERTAIN OF ITS AFFILIATES".

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Tax Billing Update **Gina Jennings, Finance Director, provided an update on tax billing. Mrs. Jennings explained that reassessment has been a four-year process that is coming to an end. Mrs. Jennings reviewed the process and steps of reassessment.**

Katrina Mears, Manager of Business Services, explained the appeal process.

Mrs. Jennings showed where the growth has been and how property values changed with the reassessment process. Mrs. Jennings then discussed the school rate that is included on tax bills. She provided a breakdown of the school district rates and how it will affect the tax bills. She added that 90% of tax bills are school district related. Mrs. Jennings then shared a tax calculator that will be shared on the website that can be utilized by property owners.

SCWRF CO No. IB-008 **Hans Medlarz, Project Manager, presented change order no. IB-008 for South Coastal WRF treatment process upgrade – Inland Bays Extension for Council’s consideration.**

M 335 25 Approve CO No. IB-008/ SCWRF Site Work **A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum, that it be moved based on the recommendation of the Sussex County Engineering Department that change order IB-008 for the Inland Bays phase 2C expansion project, be approved, in the not to exceed amount of \$1,434,000 for various site improvements, to be reduced by unit cost per support column as determined.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Construct Parallel CO No. 1 **Bob Bryant, Airport Manager, presented change order no. 1 for construct parallel taxiway B, phase 2 for Council’s consideration.**

M 336 25 Approve CO No. 1/ Construct Parallel **A Motion was made by Mr. Lloyd, seconded by Mr. McCarron, be it moved based upon the recommendation of the Sussex County Engineering Department, that the Sussex County Council approve change order no. 1 in the amount of \$126,025.03 for work associated with the construction phase of the construct parallel taxiway B, phase 1 (bid package 1) project.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Rules **Mr. Moore read the rules of procedure for zoning hearings.**

**Public
Hearing/
CU2578**

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ON-PREMISE ELECTRONIC MESSAGE CENTER SIGN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 2.18 ACRES, MORE OR LESS” (property is lying on the east side of Cannon Road [S.C.R. 307], 0.94 mile south of Indian Mission Road [Rt. 5]) (911 Address: 24771 Cannon Road, Millsboro) (Tax Map Parcel: 234-22.00-13.14) filed on behalf of New Life Bible Fellowship Church.

The Planning & Zoning Commission held a Public Hearing on the application on June 18, 2025. At the meeting of June 18, 2025, the Planning & Zoning Commission recommended approval of the application for the 7 reasons as outlined.

The Council found that Mr. Petrecca, an elder of the church and treasurer of the incorporation, spoke on behalf of the application. Mr. Petrecca stated that they are requesting permission to replace the existing sign that is currently deteriorating; that they are currently working with Phillips Signs Company to meet all Sussex County regulations.

There were no public comments.

The Public Hearing and public record were closed.

**M 337 25
Approve
Ordinance
No. 4010/
CU2578**

A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to Adopt Ordinance No. 4010 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ON-PREMISE ELECTRONIC MESSAGE CENTER SIGN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 2.18 ACRES, MORE OR LESS” for the reasons given by the Planning & Zoning Commission as follows:

1. This is an application for a Conditional Use to install an on-premises electronic message display sign. This type of application is permitted under Section 115-116.1 A. (3) of the Zoning Code.
2. The sign will be located on the Church’s property, and it will be used to display information about the Church and its various activities and events.
3. This sign will replace a prior static-display sign on the site that is on the Church’s property.
4. The sign will be required to comply with all of the sign regulations in the Zoning Code, including brightness and motion.
5. The sign will not adversely affect neighboring properties or area roadways and traffic.
6. No parties appeared in opposition to this Application.
7. A Final Site Plan showing the location of the sign on the site shall be

M 337 25
Approve
Ordinance
No. 4010/
CU2578
(continued)

submitted to the Sussex County Planning & Zoning Commission for approval.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea; Mr. Lloyd, Yea; Mr. Rieley, Yea; Mr. Hudson, Yea

Public
Hearing/
CU2584

A Public Hearing was held for a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OUTDOOR ATHLETIC FIELD AND CONCESSION TRAILER/FOOD TRUCK TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 8.07 ACRES, MORE OR LESS” (properties are lying on the west side of Camp Road [S.C.R. 532] approximately 915 ft. north of Eskridge Road [S.C.R. 531]) (911 Address: 20924 Camp Road, Bridgeville) (Tax Map Parcels: 331-2.00-18.19 & 18.20) filed on behalf of Martin Pacheco & Agustin Lee Pacheco-Quillen.

The Planning & Zoning Commission held a Public Hearing on the application on June 18, 2025. At the meeting of July 2, 2025, the Planning & Zoning Commission recommended approval of the application for the 6 reasons as outlined and subject to the 9 recommended conditions.

The Council found that Ms. Maria Monsanto spoke on behalf of the property owner, Mr. Raul Alvarez and the applicants; that there is an existing soccer field that is utilized for practices and seasonal games; that they plan to use a generator for lighting; that there is also a food truck located on the property; that the food truck would provide light items such as drinks and chips for the convenience of the players; that the conditions placed by the Planning & Zoning Commission were provided to the applicant; that fencing around the perimeter was discussed; that the height of the fence was questioned.

There were no public comments.

The Public Hearing and public record were closed.

M 338 25
Defer
Action/
CU2584

A Motion was made by Mr. McCarron, seconded by Mr. Lloyd to defer action on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OUTDOOR ATHLETIC FIELD AND CONCESSION TRAILER/FOOD TRUCK TO BE LOCATED ON CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 8.07 ACRES, MORE OR LESS”.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

Grant

Requests

Mrs. Jennings presented grant requests for Council's consideration.

M 339 25 A Motion was made by Mr. McCarron seconded by Mr. Rieley to give
Shoes That \$3,500 (\$1,000 from Mr. McCarron's Councilmanic Grant Account. \$1,000
Fit from Mr. Rieley's Councilmanic Grant Account, \$1,000 from Mr. Hudson's
Councilmanic Grant Account and \$500 from Ms. Gruenebaum's
Councilmanic Grant Account) to Shoes That Fit for their Sussex County
shoe program.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

M 340 25 A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$2,000
IR School (\$2,000 from Mr. Hudson's Councilmanic Grant Account) to the Indian
District River School District on behalf of the band boosters for their marching
band drumline.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

M 341 25 A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$1,500
DE Seashore (\$1,000 from Mr. Hudson's Councilmanic Grant Account and \$500 from
Preservation Ms. Gruenebaum's Councilmanic Grant Account) to the Delaware Seashore
Preservation Foundation, Inc., for their preservation project needs.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea

M 342 25 A Motion was made by Mr. Hudson, seconded by Mr. Rieley to give \$1,500
DE State (\$1,000 from Mr. Hudson's Councilmanic Grant Account and \$500 from
College Mr. McCarron's Councilmanic Grant Account) to Delaware State College
Association Association for their band to the beach event.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;

**Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**Proposed
Ordinances
Introduct-
ions**

Mr. Rieley introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND CR-1 COMMERCIAL RESIDENTIAL DISTRICT TO AN HR-1 HIGH DENSITY RESIDENTIAL DISTRICT FOR A 20 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY CONTAINING 87.5 ACRES, MORE OR LESS” filed on behalf of Capano Management.

Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN AR-1-RPC AGRICULTURAL RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY (352 DWELLINGS) FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 183.19 ACRES, MORE OR LESS” on behalf of Crosswinds Landing, LLC.

The Proposed Ordinances will be advertised for a Public Hearing.

**CM
Comments**

Ms. Gruenebaum commented that she would like to request a presentation from DelDOT on the Henlopen TID.

Mr. McCarron commented that there is a Milton TID and asked if an update could be provided on that one as well.

**M 343 25
Go Into
Executive
Session**

At 2:31 p.m., a Motion was made by Mr. Lloyd, seconded by Ms. Gruenebaum to enter into an Executive Session for the purpose of discussing matters related to land acquisition.

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

**Executive
Session**

At 2:34 p.m., an Executive Session was held in the Council Chambers to discuss matters related to land acquisition. The Executive Session concluded at 3:40 p.m.

**M 344 25
Reconvene**

At 3:41 p.m., a Motion was made by Mr. Rieley seconded by Ms. Gruenebaum to come out of the Executive Session and go back into the Regular Session.

Motion Adopted: 5 Yeas

Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;

**Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

E/S Action There was no action related to Executive Session matters.

**M 345 25 A Motion was made by Mr. Rieley, seconded by Mr. McCarron to adjourn
Adjourn at 3:41 p.m.**

Motion Adopted: 5 Yeas

**Vote by Roll Call: Ms. Gruenebaum, Yea; Mr. McCarron, Yea;
Mr. Lloyd, Yea; Mr. Rieley, Yea;
Mr. Hudson, Yea**

Respectfully submitted,

**Tracy N. Torbert
Clerk of the Council**

{An audio recording of this meeting is available on the County's website.}

ENGINEERING DEPARTMENT

J. MARK PARKER, P.E.
ASSISTANT COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F
mark.parker@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council:
The Honorable Douglas B. Hudson, President
The Honorable John L. Rieley, Vice President
The Honorable Jane Gruenebaum
The Honorable Matt R. Lloyd
The Honorable Steve C. McCarron

FROM: J. Mark Parker, P.E., Assistant County Engineer

RE: ***Aeronautical Obstruction Removal, Project A25-26***
A. Balancing Change Order & Project Closeout

DATE: August 12, 2025

Federal Aviation Administration (FAA) regulations require airports to maintain a safe airspace environment immediately surrounding the airport, and specifically within the approach and departure corridors where the critical phases of flight occur. To accomplish this, FAA requires airport sponsors to develop and maintain an Obstacle Action Plan (OAP) to ensure unmitigated obstacles to aerospace surfaces are prioritized to be removed or mitigated to the greatest extent possible.

Delaware Coastal Airport staff with support from the Engineering Department routinely reviews and updates the airport OAP for administrative submission to FAA. According to the updated Runway Approach Plans that were developed as part of the recent airport Master Plan Update, large areas of obstructions were identified in conjunction with the approach surface off the RW 4 end of our primary runway that extends toward relocated Park Avenue. These obstructions are also summarized on the current OAP, and primarily consist of tall trees and vegetation that have grown up over the years.

In order to mitigate these obstructions, a Request For Proposals (RFP) was crafted to delineate tree removal operations in areas located on County owned properties extending in some cases to relocated Park Avenue. The RFP was advertised on April 30, 2025, and on May 23rd a total of two (2) bids were received with the lowest bid submitted by Strobert Tree Service, Inc. Based on the recommendation of the Engineering Department, Council approved award of the project on June 3, 2025 in the amount of \$705,387.00.



The primary scope of the project was completed in a fast-paced manner to meet County end of fiscal year budget constraints, and the substantial completion milestone was reached on June 30, 2025. Final site restoration activities took place in the following several weeks in addition to GPS-based field measurements of all tree removal areas by County staff.

Change Order No. 1 represents the final balancing of quantities (tree areas removed) based on Unit Prices included as part of the awarded bid, as well as a credit to the County for a portion of the timber harvest credit that was realized by the Contractor. Based on the above and details contained in the attachments, the **Engineering Department recommends approval of Balancing Change Order No. 1 in the deduct amount of (\$869.31) and granting of project Closeout.**

Attachments: Change Order No. 1
Contractor Invoice Package
Field Measured Tree Removal Map
Substantial Completion Letter



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **Aeronautical Obstruction Removal**
2. Sussex County Project No. A25-26
3. Change Order No. 1 (Final Balancing)
4. Date Change Order Initiated - August 5, 2025
5.
 - a. Original Contract Sum \$705,387.00
 - b. Net Change by Previous Change Orders \$0.00
 - c. Contract Sum Prior to Current Change Order \$705,387.00
 - d. Requested Change (\$869.31)
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$704,517.69
6. Contact Person: Mark Parker, P.E.
Telephone No. (302) 855-7382

B. REASON FOR CHANGE ORDER (CHECK ONE)

- ☒ 1. Differing Site Conditions
- ☐ 2. Errors and Omissions in Construction Drawings and Specifications
- ☐ 3. Changes Instituted by Regulatory Requirements
- ☐ 4. Design Change
- ☒ 5. Overrun/Underrun in Quantity

- 6. Factors Affecting Time of Completion
- 7. Other (explain below):

C. **BRIEF DESCRIPTION OF CHANGE ORDER:**
Balancing Change Order to account for final measured quantities.

D. **JUSTIFICATION FOR CHANGE ORDER INCLUDED?**

Yes X No

E. **APPROVALS**

1. Strobert Tree Services, Inc.

 8/6/25
Signature Date

ANDY STROBERT
Representative's Name in Block Letters

2. Sussex County Assistant Engineer

 7 Aug '25
Signature Date

3. Sussex County Council President

Signature Date

GENERAL LEGEND

- PROPERTY LINE
- COUNTY OWNED PROPERTY AREA
- CENTERLINE OF EXISTING DITCH
- TAX DITCH R.O.W. (TOB= TOP OF BANK, CL= CENTERLINE)
- AIRSPACE/RUNWAY PROTECTION AREA
- WET WETLANDS DELINEATED IN 2025
- WETLANDS DELINEATED IN PRIOR YEARS
- ACCESS ROUTE

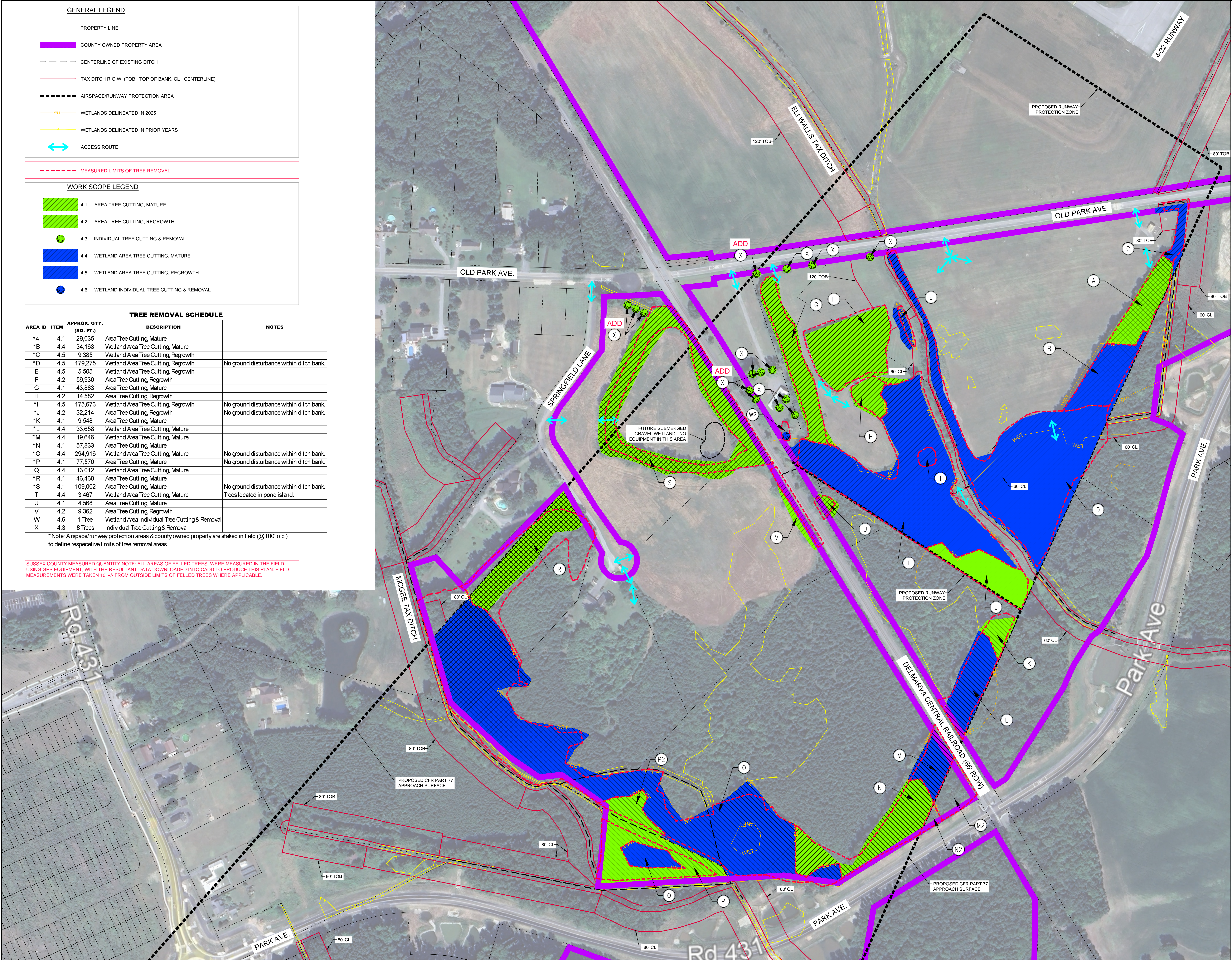
WORK SCOPE LEGEND

- 4.1 AREA TREE CUTTING, MATURE
- 4.2 AREA TREE CUTTING, REGROWTH
- 4.3 INDIVIDUAL TREE CUTTING & REMOVAL
- 4.4 WETLAND AREA TREE CUTTING, MATURE
- 4.5 WETLAND AREA TREE CUTTING, REGROWTH
- 4.6 WETLAND INDIVIDUAL TREE CUTTING & REMOVAL

TREE REMOVAL SCHEDULE				
AREA ID	ITEM	APPROX. QTY. (SQ. FT.)	DESCRIPTION	NOTES
*A	4.1	29,035	Area Tree Cutting, Mature	
*B	4.4	34,163	Wetland Area Tree Cutting, Mature	
*C	4.5	9,385	Wetland Area Tree Cutting, Regrowth	
*D	4.5	179,275	Wetland Area Tree Cutting, Regrowth	No ground disturbance within ditch bank.
E	4.5	5,505	Wetland Area Tree Cutting, Regrowth	
F	4.2	59,930	Area Tree Cutting, Regrowth	
G	4.1	43,883	Area Tree Cutting, Mature	
H	4.2	14,582	Area Tree Cutting, Regrowth	
*I	4.5	175,673	Wetland Area Tree Cutting, Regrowth	No ground disturbance within ditch bank.
*J	4.2	32,214	Area Tree Cutting, Regrowth	No ground disturbance within ditch bank.
*K	4.1	9,548	Area Tree Cutting, Mature	
*L	4.4	33,658	Wetland Area Tree Cutting, Mature	
*M	4.4	19,646	Wetland Area Tree Cutting, Mature	
*N	4.1	57,833	Area Tree Cutting, Mature	
*O	4.4	294,916	Wetland Area Tree Cutting, Mature	No ground disturbance within ditch bank.
*P	4.1	77,570	Area Tree Cutting, Mature	No ground disturbance within ditch bank.
Q	4.4	13,012	Wetland Area Tree Cutting, Mature	
*R	4.1	46,460	Area Tree Cutting, Mature	
*S	4.1	109,002	Area Tree Cutting, Mature	No ground disturbance within ditch bank.
T	4.4	3,467	Wetland Area Tree Cutting, Mature	Trees located in pond island.
U	4.1	4,568	Area Tree Cutting, Mature	
V	4.2	9,362	Area Tree Cutting, Regrowth	
W	4.6	1 Tree	Wetland Area Individual Tree Cutting & Removal	
X	4.3	8 Trees	Individual Tree Cutting & Removal	

*Note: Airspace/runway protection areas & county owned property are staked in field (@100' o.c.) to define respective limits of tree removal areas.

SUSSEX COUNTY MEASURED QUANTITY NOTE: ALL AREAS OF FELLED TREES, WERE MEASURED IN THE FIELD USING GPS EQUIPMENT, WITH THE RESULTANT DATA DOWNLOADED INTO CADD TO PRODUCE THIS PLAN. FIELD MEASUREMENTS WERE TAKEN 10' +/- FROM OUTSIDE LIMITS OF FELLED TREES WHERE APPLICABLE.



Sussex County
Engineering Department
2 The Circle, P.O. Box 589
Georgetown, DE 19947
Ph: 302-855-7718
Fax: 302-855-7799

Sheet 1

Rev:	Rev:	Rev:	Rev:
------	------	------	------

Hazard Mitigation Plan
(Field Measured Tree Removal Areas)
Delaware Coastal Airport

0 100 200 Feet

Drawn By: Date:
ML 07/29/2025
Project No: Scale:
A25-26 1" = 100'
Sheet:

1 of 1



1 Righter Parkway Suite 260 Wilmington, DE 19803
O.302.656.6077 | F.302.656.6700



Invoice

Sussex County Project A 25-26

Park Ave
Georgetown DE 19947

DATE	INVOICE #
6/30/2025	76618

PO #	
------	--

Due	Terms
6/30/2025	0 Days

Job Name	Job Site	Phone	Salesperson	Total Due
Sussex County Project A 25-26 2025080	Park Ave	302-212-6381	Ed Goddard	\$704,517.69

#	Item	Service Description	Completed	Qty	Rate	Price
1	Silviculture	Sussex County Project A25-26 Scope of work completed as of June 30, 2025.	6/30/2025	0.00	\$0.00	\$0.00
		\$714,621.55				
2	Silviculture	Timber credit -\$10,103.86	6/30/2025	0.00	\$0.00	\$0.00
3	Silviculture	Total contract payment amount	6/30/2025	0.00	\$704,517.69	\$704,517.69

Note:

Subtotal: \$704,517.69

Discount: \$0.00

Tax: \$0.00

Total: \$704,517.69

Prepayment: \$0.00

Balance: \$704,517.69

Thank you,
Ed Goddard

Account Balance \$704,517.69

Customer
Sussex County Project A 25-26
Park Ave
Georgetown DE 19947

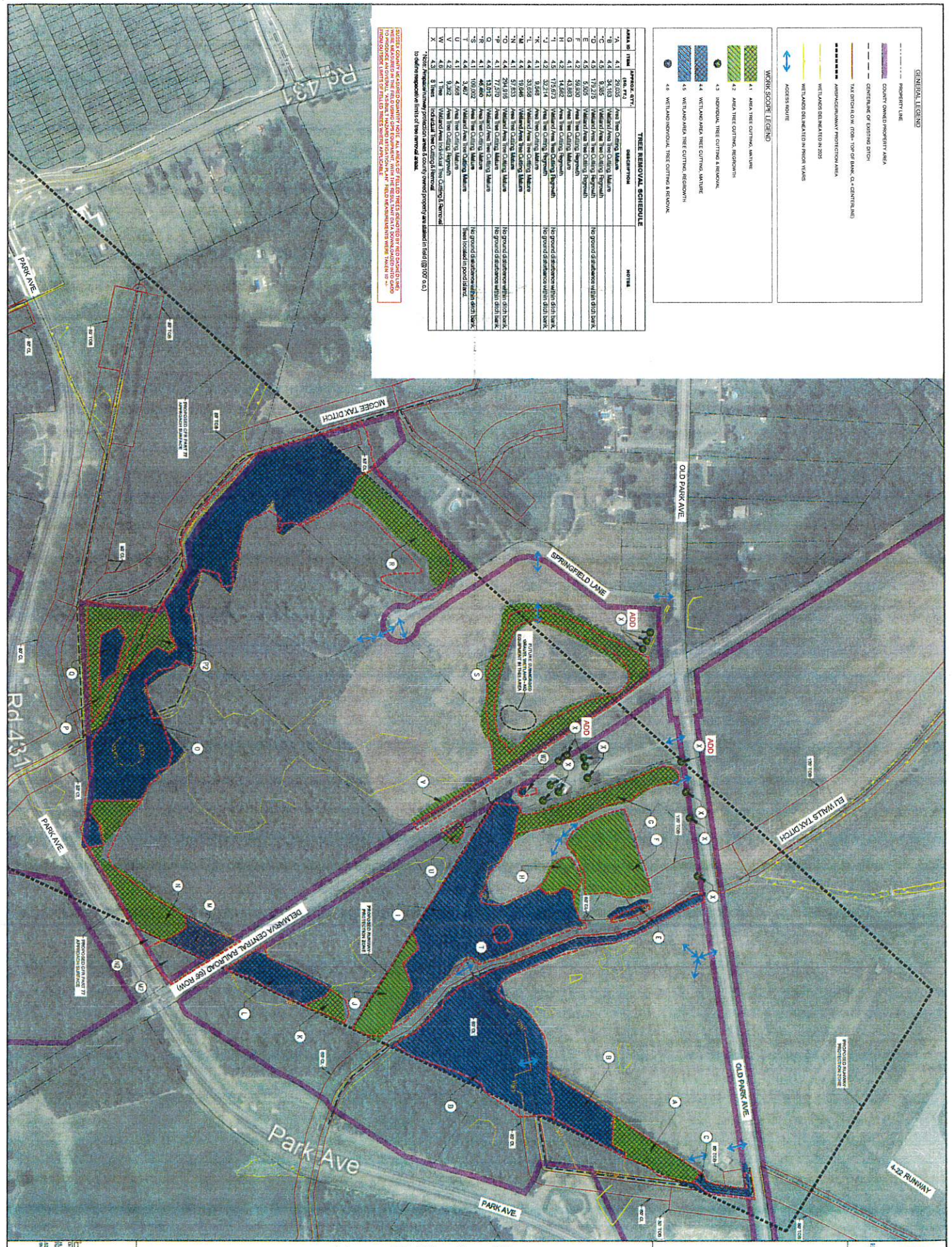
Invoice Remit Payment

DATE	INVOICE #
8/1/2025	76618
Total Amount Due:	\$704,517.69

FINAL POST-PROJECT BID ITEM SUMMARY								
ITEM NO.	DESCRIPTION	UNIT	UNIT PRICE	BID QUANTITY	SUSSEX COUNTY MEASURED QTY*	QUANTITY DIFFERENCE	TOTAL BID PRICE	FINAL PAYMENT
4.1A	Area Tree Cutting, Mature (Area A)	1,000 SF	\$ 275.48	29.0	28.27	-0.73	\$ 7,989	\$ 7,787.82
4.1G	Area Tree Cutting, Mature (Area G)	1,000 SF	\$ 275.46	43.9	36.59	-7.31	\$ 12,093	\$ 10,079.08
4.1K	Area Tree Cutting, Mature (Area K)	1,000 SF	\$ 275.47	9.5	9.38	-0.12	\$ 2,617	\$ 2,583.91
4.1N	Area Tree Cutting, Mature (Area N)	1,000 SF	\$ 275.46	57.8	52	-5.80	\$ 15,922	\$ 14,323.92
4.1N2	Area Tree Cutting, Mature (Added Area Delineation)	1,000 SF	\$ 275.46	N/A	3.31	N/A	N/A	\$ 911.77
4.1P	Area Tree Cutting, Mature (Area P)	1,000 SF	\$ 275.47	77.6	35.57	-42.03	\$ 21,376	\$ 9,798.47
4.1P2	Area Tree Cutting, Mature (Added Area Delineation)	1,000 SF	\$ 275.47	N/A	12.52	N/A	N/A	\$ 3,448.88
4.1R	Area Tree Cutting, Mature (Area R)	1,000 SF	\$ 275.46	46.5	73.68	27.18	\$ 12,809	\$ 20,295.89
4.1S	Area Tree Cutting, Mature (Area S)	1,000 SF	\$ 275.47	109.0	77.5	-31.50	\$ 30,026	\$ 21,348.93
4.1U	Area Tree Cutting, Mature (Area U)	1,000 SF	\$ 275.43	4.6	3.50	-1.10	\$ 1,267	\$ 964.01
4.2F	Area Tree Cutting, Regrowth (Area F)	1,000 SF	\$ 275.46	43.9	62.62	18.72	\$ 12,093	\$ 17,249.31
4.2H	Area Tree Cutting, Regrowth (Area H)	1,000 SF	\$ 275.47	14.6	12.37	-2.23	\$ 4,022	\$ 3,407.56
4.2J	Area Tree Cutting, Regrowth (Area J)	1,000 SF	\$ 275.46	32.2	32.59	0.39	\$ 8,870	\$ 8,977.24
4.2V	Area Tree Cutting, Regrowth (Area V)	1,000 SF	\$ 275.42	9.4	8.21	-1.19	\$ 2,589	\$ 2,261.20
4.3X	Individual Tree Cutting and Removal (X)	EACH	\$ 500.00	8	15	7	\$ 4,000	\$ 7,500.00
4.4B	Wetland Area Tree Cutting, Mature (Area B)	1,000 SF	\$ 740.78	34.2	32.09	-2.11	\$ 25,335	\$ 23,771.63
4.4L	Wetland Area Tree Cutting, Mature (Area L)	1,000 SF	\$ 740.86	33.7	31.41	-2.29	\$ 24,967	\$ 23,270.41
4.4M	Wetland Area Tree Cutting, Mature (Area M)	1,000 SF	\$ 739.89	19.6	18.79	-0.81	\$ 14,502	\$ 13,902.53
4.4M2	Wetland Area Tree Cutting, Mature (Added Area Delineation)	1,000 SF	\$ 739.89	N/A	17.46	N/A	N/A	\$ 12,918.48
4.4O	Wetland Area Tree Cutting, Mature (Area O)	1,000 SF	\$ 740.41	294.9	299.94	5.04	\$ 218,347	\$ 222,078.58
4.4Q	Wetland Area Tree Cutting, Mature (Area Q)	1,000 SF	\$ 741.46	13.0	13.0	0	\$ 9,639	\$ 9,638.98
4.4T	Wetland Area Tree Cutting, Mature (Area T)	1,000 SF	\$ 741.42	3.5	3.5	0	\$ 2,595	\$ 2,594.97
4.5C	Wetland Area Tree Cutting, Regrowth (Area C)	1,000 SF	\$ 741.48	9.4	9.51	0.11	\$ 6,970	\$ 7,051.47
4.5D	Wetland Area Tree Cutting, Regrowth (Area D)	1,000 SF	\$ 738.96	179.3	179.36	0.06	\$ 132,496	\$ 132,539.87
4.5E	Wetland Area Tree Cutting, Regrowth (Area E)	1,000 SF	\$ 741.45	5.5	3.38	-2.12	\$ 4,078	\$ 2,506.10
4.5I	Wetland Area Tree Cutting, Regrowth (Area I)	1,000 SF	\$ 741.50	175.7	178.23	2.53	\$ 130,282	\$ 132,157.55
4.6W	Wetland Individual Tree Cutting and Removal (Not Used)	EACH	\$ 500.00	1	0	-1	\$ 500	\$ -
4.6W2	Wetland Area Tree Cutting, Mature (Added Area Delineation)	1,000 SF	\$ 741.42	N/A	1.69	N/A	N/A	\$ 1,253.00
4.8	Wetland Area Tree Removal	1,000 SF	**	758.8			**	\$ -
4.7	Area Tree Removal	1,000 SF	**	478.00			**	\$ -
TOTAL BID AMOUNT (BASIS OF CONTRACT AWARD)=							\$ 705,837	
TOTAL CONTRACT PAYMENT AMOUNT =							\$ 714,621.55	

*Sussex County Measured Quantity Note: All areas of felled trees were measured in the field using GPS equipment, with the resultant data downloaded into Cadd to produce an overall "As-Built Hazard Mitigation Plan". Field measurements were taken 10' +/- from outside limits of felled trees where applicable.

**Per Strobert Bid, costs for these items were included in applicable unit price items.



Invoices By Customer

Easton Timber and Mat LLC
11561 Longwoods Rd
Easton MD 21601

Cust #: 350926

For The Period: 1/1/2025 - 12/31/2025
Report Date: 7/30/2025 4:17 PM

Date	Invoice	Job	Type	Discount %	Sub Total	Discount	Tax	Total	Balance	Salesperson
6/27/2025	76378	Easton Timber and Mat LLC 20250627	Inv	0.00 %	\$1,136.50	\$0.00	\$0.00	\$1,136.50	\$0.00	Andy Strobert
7/3/2025	76420	Easton Timber and Mat LLC 20250703	Inv	0.00 %	\$3,871.50	\$0.00	\$0.00	\$3,871.50	\$0.00	Andy Strobert
7/14/2025	76476	Easton Timber and Mat LLC 20250714	Inv	0.00 %	\$13,244.42	\$0.00	\$0.00	\$13,244.42	\$0.00	Andy Strobert
7/18/2025	76523	Easton Timber and Mat LLC 20250718	Inv	0.00 %	\$1,955.33	\$0.00	\$0.00	\$1,955.33	\$0.00	Andy Strobert
Totals by Customer:					\$20,207.75	\$0.00	\$0.00	\$20,207.75	\$0.00	
Report Totals:					\$20,207.75	\$0.00	\$0.00	\$20,207.75	\$0.00	

ENGINEERING DEPARTMENT

J. MARK PARKER, P.E.
ASSISTANT COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F
mark.parker@sussexcountype.gov



Sussex County

DELAWARE
sussexcountype.gov

June 30, 2025

Andy Strobert
Strobert Tree Services, Inc.
1 Righter Parkway Suite 260
Wilmington, DE 19803
via e-mail only

**RE: Aeronautical Obstruction Removal – Project No. A25-26
Substantial Completion**

Dear Mr. Strobert:

Based on a review of the project site and discussions with your staff, Sussex County is granting Substantial Completion for this project as of the date of this letter. Per our conversation, the remaining items left to be completed are full product removal from the site and proper restoration of all areas disturbed by tree removal operations.

Thank you for your assistance and cooperation on this important project, and we look forward to working with your company again in the future.

Sincerely,



J. Mark Parker, P.E.
Assistant County Engineer



COUNTY ADMINISTRATIVE OFFICES
2 THE CIRCLE | PO BOX 589
GEORGETOWN, DELAWARE 19947

ENGINEERING DEPARTMENT

J. MARK PARKER, P.E.
ASSISTANT COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F
mark.parker@sussexcountype.gov



Sussex County

DELAWARE
sussexcountype.gov

Memorandum

TO: Sussex County Council:
The Honorable Douglas B. Hudson, President
The Honorable John L. Rieley, Vice President
The Honorable Jane Gruenebaum
The Honorable Matt R. Lloyd
The Honorable Steve C. McCarron

FROM: J. Mark Parker, P.E., Assistant County Engineer

RE: ***EMS Paramedic Stations – Lincoln Station 101 & Milton Station 111***
A. GMB Architectural Services – Approval of Amendment 6
B. GMB Civil/Site Services – Approval of Amendment 2

DATE: August 12, 2025

GMB Architectural Services

The single Public Safety Building concept was first introduced in the FY 2019 Budget Ordinance. The building's purpose is to consolidate all EMS training, administration, and logistics functions in one facility replacing the current locations. Following a publicly advertised request for proposals, Council awarded the EMS Department's - Architectural Consulting Services base contract to the George, Miles and Buhr, Inc. (GMB) on July 17, 2018 in the amount of \$300,000.00. It covered the North Seaford Medic Station 110 and the Public Safety Building Project C19-04 initial programming and design effort. This station was the first one which had to meet the revised State's fire prevention code requiring a fire suppression sprinkler system.

In October of 2020, the Department presented the 60% design review to County Council followed by a 75% design presentation in March of 2021. Based on the County's request, GMB was asked to create several breakout specialty scopes for procurement under Cooperative Purchasing Agreements. This increased the project design complexity and on March 23, 2021, Council approved GMB's Amendment No.1 in the amount of **\$61,500.00**.

Following the March Council presentation, the scope still evolved considerably due to design revisions and added design features. Consequently, GMB and its subconsultants exceeded the previously approved allocations bringing the project to bid. GMB offered a discounted fee of \$75,000.00 to cover the required services. In addition, they provided a proposal for



construction administration services and on August 10, 2021, County Council approved GMB's respective Amendments No. 2 & 3 for a total amount of **\$319,500.00**.

The architectural design associated with the relocation of the station 103 in Dagsboro and station 101 in Lincoln, and a new station 111 on Cave Neck Road began with a development of a prototype building which was to be duplicated on each of the three sites. Due to the staggered schedules for required site design, the architectural design effort reflected separate bid and construction periods. On September 20, 2022, Council approved GMB's Amendment No. 4 in the amount of **\$452,000.00** to cover the necessary architectural design services as well as limited bidding and construction administration services. The approved fee was broken into a *not-to-exceed* amount for each of the three EMS sites.

The first EMS station that went to construction was the Millsboro site which relocates station 103 currently situated in Dagsboro. This project was completed early this year and EMS staff move-in occurred in February. The construction phase involved a significant effort related to shop drawing review and general coordination with the Contractor. Many of the shop submittals required multiple rounds of review due to incomplete information provided by Sub-Contractors. Several clarification meetings involving design team members have been required as well. County personnel has been reviewing as many submittals as possible, but many require technical review by the Designer of Record (GMB & Subconsultant) representing architectural, structural and MEP disciplines. On June 4, 2024, Council approved GMB's Amendment No. 5 in the amount of **\$38,380.00** to cover additional services performed during construction phase of the Millsboro EMS station

Currently the Engineering Department is moving forward with the detailed design phase of the next two planned EMS stations - Station 101 in Lincoln and Station 111 in Milton. The GMB design team is on board to continue to serve as the Consultant of Record for all required disciplines on both stations. On the Architectural/MEP design side, some additional services have been identified that were not accounted for in the original approved proposal from August 2022, which is noted above as Amendment No. 4. These additional services are applicable to both stations and are summarized in the attached GMB proposal dated August 5, 2025. Additionally, an increased fee is anticipated for already scoped design services due to the 3-year time lapse from the original proposal.

The Engineering Department has reviewed GMB's proposal for additional design services and recommends approval in the amount of **\$52,640.00** as Amendment No. 6 to GMB's Architectural Services Contract, to be billed accordance with GMB's audited hourly rates.

GMB Civil/Site Services

Similar to the Architectural/MEP design side, several additional design services have been identified that involve GMB's Civil/Site effort for both stations. These services are summarized in the attached GMB proposal dated July 23, 2025, which also includes design efforts performed as part of the Millsboro EMS project that were not included in the original

approved proposal from October 2021. Additionally, an increased fee is anticipated for already scoped design services due to the almost 4-year time lapse from the original proposal.

The Engineering Department has reviewed GMB's proposal for additional design services and recommends approval in the amount of \$49,500.00 as Amendment No. 2 to GMB's On-Call Miscellaneous Engineering Services Contract, to be billed accordance with GMB's audited hourly rates.



AIA® Document G802® – 2017

Amendment to the Professional Services Agreement

PROJECT: *(name and address)*

Prototype EMS Facilities
Sussex County, DE

AGREEMENT INFORMATION:

Date: December 15, 2022

AMENDMENT INFORMATION:

Amendment Number: 006
Date: August 7, 2025

OWNER: *(name and address)*

Sussex County Engineering Department
2 The Circle, PO Box 589
Georgetown, DE 19947

ARCHITECT: *(name and address)*

George Miles & Buhr, LLC (GMB)
206 West Main Street
Salisbury, MD 21801

The Owner and Architect amend the Agreement as follows:

This Amendment covers the additional scope identified in attached proposal dated August 5, 2025.

The Architect's compensation and schedule shall be adjusted as follows:

Compensation Adjustment:

This amendment provides for a \$52,640.00 increase in the contract amount broken down as follows by discipline and not to exceed.

Architectural	\$ 24,140.00
Structural	\$ 2,000.00
MEP	\$ 26,500.00

Schedule Adjustment:

The work shall commence immediately upon receipt of executed amendment and shall be continuous without interruption.

SIGNATURES:

GMB, LLC

ARCHITECT *(Firm name)*

August 7, 2025

SIGNATURE

Morgan H. Helfrich, AIA
Sr. Vice President/Project Director

PRINTED NAME AND TITLE

August 7, 2025

DATE

OWNER *(Firm name)*

SIGNATURE

PRINTED NAME AND TITLE

DATE

■ ■ ■ ■

**ARCHITECTS
ENGINEERS**

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
salisbury@gmbnet.com

SALISBURY
BALTIMORE
SEAFORD
LEWES
OCEAN VIEW

www.gmbnet.com

■ ■ ■ ■

JAMES H. WILLEY, JR., P.E.
CHARLES M. O'DONNELL, III, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
W. MARK GARDOCKY, P.E.
ANDREW J. LYONS, JR., P.E.

PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
W. BRICE FOXWELL, P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. BURNS
CHRISTOPHER J. PFEIFER, P.E.
BENJAMIN K. HEARN, P.E.

August 5, 2025

Sussex County Engineering Department
2 The Circle, PO Box 589
Georgetown, DE 19947

Attn: Mark Parker

Re: ADD Services Proposal
New Lincoln & Milton Paramedic Stations
GMB File R210265.A0

Dear Mark:

At your request, the following is a proposal to furnish design modification services to subdivide one of the dual occupancy bunkrooms from the Millsboro facility prototype plan into a pair of single-bed bunkrooms for the planned new Lincoln facility as discussed. Additionally, we understand this facility now needs an onsite water tank and pump for fire suppression. Finally, we will work with you to revise the construction documentation accordingly based on your "Lessons Learned" document dated 4/8/25. The work effort will entail updating various architectural drawings including plans, elevations, details and schedules plus coordination with Diamond State Engineering for related changes to its prototype mechanical and electrical design.

We have sent you a sketch diagram previously to illustrate the desired design modification.

Our proposal is more particularly described as follows.

ARCHITECTURAL

1. Prepare a confirming building code review to verify minimum egress, exit and floor area requirements for single occupant bunkrooms. Verify design impacts prevailing ADA accessibility requirements, if any.
2. Coordinate with Sprinkler contractor and state fire marshal for onsite tank, pump and revision to sprinkler room size and location.
3. Modify affected prototype architectural drawings as required.
4. Revise construction documentation as requested for "lessons learned" document provided by the county on April 8, 2025.
5. Manage coordination efforts with our MEP consultant to perform the change.
6. Manage coordination within GMB civil/site engineering for tank underlayment (pad or other) accordingly.
7. Provide limited scope Construction Administration Services consisting of selected critical shop drawing reviews (up to 6) and onsite construction visits (up to 2 including a punch list inspection). Additional requested scope may be subject to additional fee.

MECHANICAL, ELECTRICAL & PLUMBING

MEP design and engineering services will be furnished by Diamond State Engineering of Dover, Delaware. A copy of its proposal is attached to this letter.

FEE SUMMARY

We propose providing the above-named services according to the following fee breakdown.

Architectural	\$ 24,140.00
Structural	\$ 2,000.00
MEP	\$ 26,500.00
Total Proposed Fee (Add Services)	\$ 52,640.00

ASSUMPTIONS AND CONSIDERATIONS

- Bidding Assistance is excluded from this agreement and covered under original agreement.
- Civil/Site additional services will be covered under a separate agreement.
- Reimbursable expenses are covered under the original agreement and are estimated.
- Any item not specifically indicated herein is excluded from this agreement.

PROPOSAL CONDITIONS

The terms and conditions of our original agreement shall apply.

If acceptable, please sign this proposal and return a copy to our office. If you have any questions, do not hesitate to call me.

Sincerely,



Morgan H. Helfrich, AIA LEED AP

MHH/ets

Enclosures: Schedule of Hourly Rates & Expenses
General Conditions
Diamond State Engineering Proposal

APPROVED FOR SUSSEX COUNTY BY:

By: 

Printed Name: J. MARK PACKEA

Date: 8/7/25

Title: PROJECT MGR.

Phone Number: 302.855.7382

Email Address: _____

SCHEDULE OF HOURLY RATES & EXPENSES

HOURLY RATES

Effective May 1, 2025

CLASSIFICATION	HOURLY RATE
Senior Project Director	\$ 185.00 - \$ 255.00
Project Director	\$ 160.00 - \$ 230.00
Senior Project Manager	\$ 135.00 - \$ 210.00
Project Manager	\$ 115.00 - \$ 185.00
Assistant Project Manager	\$ 115.00 - \$ 165.00
Senior Project Engineer/Architect/Landscape Arch	\$ 115.00 - \$ 165.00
Senior Environmental Scientist	\$ 100.00 - \$ 165.00
Project Engineer/Architect/Landscape Arch	\$ 130.00 - \$ 155.00
Graduate Engineer/Architect/Landscape Arch	\$ 105.00 - \$ 150.00
Environmental Scientist	\$ 70.00 - \$ 145.00
Geospatial Analyst	\$ 70.00 - \$ 145.00
Senior Designer	\$ 90.00 - \$ 165.00
Designer	\$ 75.00 - \$ 125.00
CADD Operator	\$ 70.00 - \$ 110.00
Construction Representative	\$ 90.00 - \$ 145.00
Resident Project Representative (RPR)	\$ 65.00 - \$ 135.00
Senior Project Coordinator	\$ 90.00 - \$ 135.00
Project Coordinator	\$ 65.00 - \$ 130.00
Surveyor	\$ 95.00 - \$ 180.00
Survey Crew Chief	\$ 100.00 - \$ 130.00
Survey Technician	\$ 65.00 - \$ 90.00
Administrative/IT Support	\$ 50.00 - \$ 145.00
GIS Specialist	\$ 60.00 - \$ 105.00
Senior Technician	\$ 60.00 - \$ 135.00
Technician	\$ 45.00 - \$ 95.00

Expert Testimony

2x Hourly Rates

EXPENSES

All items per each, unless noted.

Internal:

Photocopies:

Black & White	\$ 0.20
Color	\$ 0.50

Prints/Plots:

Black & White/Color	\$ 0.50 /s.f.
Mylar	\$ 2.00 /s.f.

Travel:

Mileage	\$ 0.70/mile*
Subsistence (Meals & Lodging)	At Actual Cost

Overnight/Immediate Delivery

At Actual Cost

Survey Crew Rates

1-person crew	\$ 185.00/hour
2-person crew	\$ 215.00/hour
3-person crew	\$ 245.00/hour

Other:

Electronic Media Copies/Transfers/File	\$ 300.00/file
Website Project File Sharing	\$ 1.00/MB/month
Construction Management Software	\$ 1,400.00/\$1MM/year
Surveying Equipment/Total Station Only	\$ 35.00 /day
Surveying Equipment/Total Station + GPS Unit	\$ 150.00 /day

* Adjusted annually in accordance with the Internal Revenue Service directives

GENERAL CONDITIONS

(Effective May 1, 2025)

AGREEMENT

The term "Agreement" refers to the undertaking by George, Miles & Buhr, LLC ("GMB") to perform Services described in the attached Proposal and these General Conditions. The Agreement shall become effective upon acceptance by Client of the attached Proposal and General Conditions, which when acknowledged in writing, are authorization to proceed. The Agreement is between Client and GMB, and their respective partners, divisions, affiliates, members, successors and assigns, both of whom promise not to transfer or assign any interest in the Agreement without the other party's written consent. The Agreement supersedes all prior written proposals or negotiations and is conditioned upon Client's acceptance of these General Conditions. No modification of the terms of the Agreement or General Conditions shall be valid unless authorized in writing by both parties. If additional services are required by Client, GMB will provide the services when authorized in writing and documented to do so by Client.

FEES, RETAINER

Any estimate of the fees and expenses that GMB expects to incur in providing Client with services outlined in the attached Proposal is not a maximum or lump sum fee. Client understands and agrees that the final billing may be more or less than the estimate. Fees for services will be adjusted if there are changes to the scope or schedule, as defined in the Proposal including supporting drawings, schedules and exhibits. If GMB does not have an established relationship with the Client, a retainer will be requested approximating the value of services for a minimum of sixty (60) days and will be credited to the final invoice. A Schedule of Hourly Rates & Expenses is attached to and incorporated as part of the Proposal. Unless otherwise noted, all proposals are valid for a period of 90 days from the date of the proposal.

INVOICES

Invoices are due upon receipt. If an invoice is outstanding beyond thirty (30) days of the invoice date, interest will be charged at a rate of one percent (1%) per month and GMB reserves the right to stop providing services and to withdraw all permit applications. Further, if GMB has to refer any delinquent billing to an attorney for collection, Client agrees to pay GMB its reasonable attorney's fees and expenses of collection, to include, without limitation, all litigation related expenses and expert witness fees, plus 25%.

EXPENSES

Client agrees to pay GMB for internal expenses in accord with Schedule of Hourly Rates and Expenses charged for those items that are specific to the project, including, but not limited to, subcontracted consultants, permit fees, reproduction expenses, renderings, models, etc. GMB will invoice external expenses at cost plus 10%.

LIABILITY & CLAIMS

Client agrees to limit GMB's liability related to errors and omissions to an amount not to exceed the total fee for the project or GMB's available professional liability insurance coverage for that year, whichever is less. GMB will not be responsible for any liabilities arising from Client's negligent acts or errors, or from any entity whose conduct is not subject to GMB's control. Client acknowledges the inherent risks associated with construction. GMB will provide services with a standard of care exercised by licensed architects and engineers. At least 30 days prior to making any claim against GMB, Client agrees to provide GMB a Certificate of Merit issued by an architect or engineer, licensed by the state in which the project is located, specifically describing

every error or omission which the issuer believes to be a violation of the standard of care. If Client makes a claim or brings legal action against GMB for any services under this Agreement, and fails to prevail, Client agrees to pay all legal and other expenses incurred by GMB in its defense, including, but not limited to, attorney's fees, court costs, expert witness fees, etc.

INSTRUMENTS OF SERVICE

All work products, including those in electronic form, prepared by GMB and GMB's consultants are Instruments of Service for use solely with respect to this project. The Client shall be permitted to authorize Contractor, Subcontractors and material or equipment suppliers to reproduce applicable portions of the Instruments of Service appropriate to and for use in their execution of the work. Any unauthorized use of the Instruments of Service shall be at the Client's sole risk and without liability to GMB and GMB's consultants. No alterations shall be made to the Instruments of Service by the Client and/or any representative of the Client without the written permission of GMB and GMB's consultants. Copies of electronic media, if requested and approved, will be invoiced to the Client and due upon receipt.

APPROVALS

GMB has no control over governments and their agencies in granting approvals. Therefore, GMB cannot guarantee the timeframe for, or the cost of services incidental to, obtaining approvals from governments or governmental agencies. If the type or level of services as originally defined are revised or changed during our assignment, the fee for our services from that point forward will be subject to negotiation.

TERMINATION/SUSPENSION OF WORK

Client or GMB each may terminate the Agreement with fifteen (15) calendar days written notice; Client agrees to pay for all services provided by GMB up to the date of termination. Project delays and suspension of the project for more than 30 days, may result in additional cost to resume work. Client agrees to pay such costs before work resumes if said delays are attributable to the Client.

CONSTRUCTION SAFETY

Client agrees to require general or subcontractor to indemnify, defend and hold GMB harmless against claims arising from unsafe site conditions.

CONSTRUCTION ESTIMATES

GMB has no control over the cost of labor, materials, equipment and services provided by others or over the contractor's methods of determining prices and does not warrant or guarantee construction estimates.

CONSTRUCTION SCHEDULES

GMB has no control over the means, methods and techniques of construction employed by contractors, the timing of government approvals or the delivery of materials and equipment. The Client agrees that any construction schedule prepared by GMB is approximate and will not be the basis for a claim.

HAZARDOUS MATERIALS

Client agrees to defend, indemnify and hold GMB harmless for any and all liabilities, claims, costs and expenses, including, but not limited to, litigation expenses, attorney's fees, and expert witness fees, which relate in any way to the presence of any hazardous or toxic materials on the project.

GOVERNING LAWS; VENUE

The Agreement shall be interpreted in accordance with the laws of the State of Maryland. The venue for any dispute arising out of the Agreement shall be, at the sole discretion of GMB, the Circuit Court for Wicomico County, Maryland or the federal courts within the State of Maryland.



3588 Peachtree Run
Dover, DE 19901
(302) 697-7694
Fax: (302) 697-1328

July 29, 2025

Ref:DSEJOB #23-2-0001

Morgan H. Helfrich
GMB Architects + Engineering
206 West Main Street
Salisbury, Maryland 21801

Subject: Lincoln and Milton EMS Station – Additional Services

Dear Ms. Helfrich,

As requested, Diamond State Engineering, Inc. (DSE) is pleased to offer this change order proposal for additional services associated with the change in scope to the prototype buildings originally quoted in P2022-131R1. This scope increase modified the prototype building requirement to a full MEP design, including construction administration. The combined scope changes for both the Lincoln EMS Station and the Milton EMS Station include but are not limited to the following:

- Electrical
 - Provide a new receptacle layout in each of the new bunk rooms.
 - Provide a new lighting and switching layout in each of the new bunk rooms.
 - Include additional life safety devices as required by the new bunk rooms.
 - Provide fire pump voltage drop calculations (Lincoln).
 - Milton assumed to have adequate utility water flow and pressure.
 - Provide electrical service design to incorporate propane heat equipment and variable speed heat pumps due to the lack of natural gas service on site.
 - Coordinate the new fire pump, fire pump controls, and control requirements with the Bear Fire Protection (Lincoln).
 - Milton assumed to have adequate water flow and pressure. No fire pump required.
 - Provide design for diesel backup generator (equipment selection, connection details, pad requirements, and automatic transfer switch).
 - Reconfigure utility service entrance for sprinkler room relocation.
 - Provide updated and verified equipment schedules.
- Mechanical
 - Provide updated load calculation to include the new bunk rooms.
 - Reconfigure ductwork serving the new bunk rooms.
 - Provide a new ductwork layout incorporating filter racks.
 - Comply with new refrigerant requirements and specify appropriate new equipment.
 - Provide updated and verified equipment schedules.
 - Provide propane equipment in lieu of natural gas equipment
- Plumbing



3588 Peachtree Run
Dover, DE 19901
(302) 697-7694
Fax: (302) 697-1328

- Reconfigure water service to incorporate a new well for fire services (Lincoln).
 - Milton assumed to have adequate utility water pressure and flow.
 - Remove natural gas piping and associated details from design.
 - Incorporate changes to design from lessons learned comments.
- Overall Project
 - Provide a book specification, updated for each site.
 - New HVAC from lessons learned.
 - New equipment due to the propane tank in lieu of gas service.

Based on email correspondence, Sussex County has made the following assumptions for the pricing of this additional services request. These assumptions/anticipations are as follows:

- Milton Site
 - There will be adequate utility water fed from the adjacent development.
 - No fire pump or water storage tank will be required.
 - There will be a public sanitary sewer connection.
 - There will be a propane tank on site to fuel the water heater and gas furnaces.
 - Sussex Co. should have adequate fixtures to supply for the owner supplied fixtures used at Millsboro.
- Lincoln Site
 - There will be a new, stand alone, diesel generator to provide emergency power.
 - There will be a propane tank on site to fuel the water heater and gas furnaces.
 - Sussex Co. should have adequate fixtures to supply for the owner supplied fixtures used at Millsboro.

TOTAL COST

Twenty-six Six Thousand five hundred dollars \$26,500

We appreciate the opportunity to quote the above. If you have any questions, please do not hesitate to call.

Sincerely,

Branden Moore

This is **EXHIBIT K**, consisting of 5 pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated 07/01/24.

**AMENDMENT TO OWNER-ENGINEER AGREEMENT
Amendment No. 2**

The Effective Date of this Amendment is: August 12, 2025

Background Data

Effective Date of Owner-Engineer Agreement: 07/01/24

Owner: Sussex County

Engineer: George, Miles & Buhr

Project: EMS Facilities – Additional Design Services

Nature of Amendment: [Check those that are applicable and delete those that are inapplicable.]

- ☒ Additional Services to be performed by Engineer
- ☐ ~~Modifications to services of Engineer~~
- ☐ ~~Modifications to responsibilities of Owner~~
- ☒ Modifications of payment to Engineer
- ☒ Modifications to time(s) for rendering services
- ☐ ~~Modifications to other terms and conditions of the Agreement~~

Description of Modifications:

This Amendment includes modifications to Exhibit A – Engineer’s Services and selection and use of Exhibit C, Compensation Packet AS-1.

Agreement Summary:

Original Agreement Amount:	\$ 488,300.00
Net Change for prior amendments:	\$ 0
This amendment amount:	\$ 49,500.00
Adjusted Agreement amount:	\$ 537,800.00

Exhibit C – Compensation Packet RPR-2: Resident Project Representative Services—
Standard Hourly Rates Method of Payment.

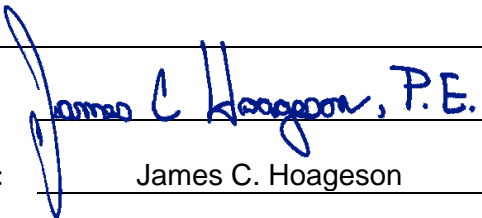
EJCDC® E-500, Agreement Between Owner and Engineer for Professional Services.
Copyright © 2014 National Society of Professional Engineers, American Council of Engineering Companies,
and American Society of Civil Engineers. All rights reserved.

Owner and Engineer hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect.

OWNER:

By: _____
Print
name: _____
Title: _____
Date Signed: _____

ENGINEER:

By:  _____
Print
name: James C. Hoageson
Title: Sr. Project Manager
Date Signed: August 7, 2025

■ ■ ■ ■

**ARCHITECTS
ENGINEERS**

206 WEST MAIN STREET
SALISBURY, MD 21801
PH: 410.742.3115
PH: 800.789.4462
salisbury@gmbnet.com

SALISBURY
BALTIMORE
SEAFORD
LEWES
OCEAN VIEW

www.gmbnet.com

■ ■ ■ ■

JAMES H. WILLEY, JR., P.E.
CHARLES M. O'DONNELL, III, P.E.
A. REGGIE MARINER, JR., P.E.
JAMES C. HOAGESON, P.E.
STEPHEN L. MARSH, P.E.
DAVID A. VANDERBEEK, P.E.
ROLAND E. HOLLAND, P.E.
JASON M. LYTLE, P.E.
CHRIS B. DERBYSHIRE, P.E.
MORGAN H. HELFRICH, AIA
KATHERINE J. MCALLISTER, P.E.
W. MARK GARDOCKY, P.E.
ANDREW J. LYONS, JR., P.E.

PETER A. BOZICK, JR., P.E.
JUDY A. SCHWARTZ, P.E.
W. BRICE FOXWELL, P.E.

JOHN E. BURNSWORTH, P.E.
VINCENT A. LUCIANI, P.E.
AUTUMN J. BURNS
CHRISTOPHER J. PFEIFER, P.E.
BENJAMIN K. HEARN, P.E.

Revised July 23, 2025

Sussex County Engineering Department
2 The Circle
PO Box 589
Georgetown, DE 19947

Attn: Mr. Mark Parker, P.E.
Assistant County Engineer

Re: Proposal for Civil Engineering Professional Services
Sussex County EMS Facilities – **Additional Design Services**

Dear Mark:

We are pleased to present this proposal for additional Civil/Site Design for three (3) Emergency Medical Service (EMS) Facilities located in Sussex County, DE. Our proposal is more particularly described as follows.

PROJECT LOCATIONS

Handy Road, Millsboro, Delaware – (2.7 acres)
N. Old State Road, Lincoln, Delaware – (2.54 acres)
Cave Neck Road, Milton, Delaware – (2.84 acres)

PROJECT DESCRIPTION

Finalizing site plans for two (2) planned EMS facilities to incorporate the lessons learned from the recently completed Millsboro EMS facility. Modifications/additions to the Lincoln EMS site plans to include an onsite water storage tank and fire pumps with associated piping. Modifications/additions to Milton EMS site plans include a change from private onsite water and sewer to offsite water and sewer provided by Artesian Water. Additional engineering services provided during the design and construction of the recently constructed Millsboro EMS

SCOPE OF SERVICES: EMS CIVIL/SITE

A. Lincoln EMS – The current site plans have been submitted to Sussex Conservation District and DelDOT and initial comments have been received. Submittals have not been made to the Office of Drinking Water or to the State Fire Marshall Office; pending clarification on the water source production rate. The County is in the process of converting a 4-inch diameter test well into a production well. An onsite storage tank with fire pumps is proposed for this site for fire protection.

The following scope items will take the design to 100% including final permit submittals:

1. Participate in bi-weekly client meetings to monitor project progress in alignment with the established timeline and to facilitate comprehensive updates and directives from all design disciplines and the Owner.

2. Incorporate into the site design a 30,000 gal. horizontal storage tank and associated fire pumps/shelter (designed by others). Includes associated connective piping between the proposed well, EMS building, and fire storage tank. *Excludes well design as this is currently being handled internally by Sussex County.*
 3. Revisions to the permit submittals to DeIDOT and SCD to include the proposed well, storage tank. Perform new site calculations to account for additional impervious area due to the storage tank. This submittal should constitute final submittals. Submit for Notice of Intent (NOI).
 4. Implement into the site package "lessons learned" from the Millsboro EMS project as provided by Sussex County.
 5. Provided limited Contract Administration services as directed by the County.
- B. Milton EMS – The current site plans have been approved by DeIDOT and SCD. Submittals have not been made to the Office of Drinking Water or the State Fire Marshals Office; source of water has now been determined to be provided by Artesian in connection with a proposed adjacent subdivision.

The following scope items will take the design to 100% including final permit submittals:

1. Participate in bi-weekly client meetings to monitor project progress in alignment with the established timeline and to facilitate comprehensive updates and directives from all design disciplines and the Owner.
 2. Incorporate into the design a water and sewer easement along with proposed alignment of the water and sewer mains to service the proposed EMS building along with future alignment to service potential adjacent future ambulance station. Artesian Water to be the service provider.
 3. Removal of the previously designed onsite septic system from the plan set.
 4. Provide courtesy submittals to DeIDOT and SCD to properly show the changes to the water and sewer.
 5. Implement into the site package "lessons learned" from the Millsboro EMS project as provided by Sussex County.
 6. Provide limited Contract Administration services as directed by the County.
- C. Millsboro EMS – Additional services provided during design and construction:
1. Town of Millsboro Annexation – The original proposal was based on obtaining water and sewer from the Town of Millsboro as an out-of-town service client. Town code did not allow this. Annexation into the Town of Millsboro was required to obtain municipal water and sewer as well as meeting their zoning code and various approvals.

2. Dickerson Road Design - The original proposal limited road improvements along the EMS site road frontage. The scope was expanded during conversations with DelDOT and the County to extend the design to the intersection with handy Road. This resulted in additional grading of Dickerson Road and roadside swales, hydraulic modeling of offsite drainage areas, and the development of a traffic control plan and detour plan.
3. Contract Administration was omitted from the original proposal. At the request of the County GMB provided limited CA services during construction which included shop drawing review, responses to RFI's, and coordination with the Owner and Contractor.

EXCLUSION, ASSUMPTIONS, AND CONSIDERATIONS

- Excludes value engineering or substantial modification of the 60%.
- Assumes lighting plans are to be by others.
- Excludes an additional well for site irrigation.
- Any item not specifically indicated herein is excluded from this agreement.

FEE SUMMARY

We propose to provide the above defined Preliminary and Final Design Services in accordance with EJCDC, EXHIBIT C - COMPENSATION PACKET BC-2: Basic Services – Standard Hourly Rates per the following breakdown of fees:

Lincoln EMS

Civil/Site Design:	\$10,250.00
Contract Admin. Services:	<u>\$ 2,250.00</u>
Subtotal	\$12,500.00

Milton EMS

Civil/Site Design:	\$ 6,950.00
Contract Admin. Services:	<u>\$ 2,250.00</u>
Subtotal	\$ 9,200.00

Millsboro EMS

Town of Millsboro Annexation:	\$ 7,000.00
Dickerson Road Redesign:	\$15,800.00
Limited CA Services:	<u>\$ 5,000.00</u>
Subtotal	\$27,800.00

TOTAL CIVIL/SITE DESIGN FEE: \$49,500.00

SCHEDULE

We propose to begin immediately upon receipt of this signed proposal. We estimate nine (9) months for completion of the Final Design and Permitting. Once the plans are submitted to the various permitting and approval agencies, we are no longer in control of the schedule.

If this proposal meets with your approval, please execute in the space provided below and return one (1) copy to our office as acceptance and notification to proceed.

If you have any questions, do not hesitate to call me. We thank you for this opportunity.

Sincerely,

 James C. Hoageson, P.E.

James C. Hoageson, P.E.
Sr. Vice President / Project Director

JCH/slh

Enclosure: Schedule of Hourly Rates & Expenses

APPROVED BY SUSSEX COUNTY ENGINEERING:

By: _____

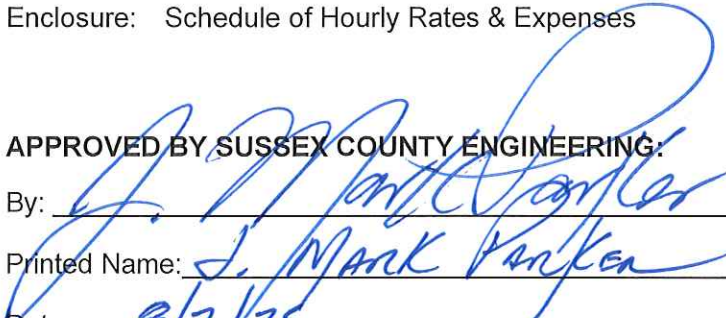
Printed Name: _____

Date: _____

Title: _____

Phone Number: _____

Email Address: _____


J. Mark Parker
8/7/25
Project Manager
302.855.1382

SCHEDULE OF HOURLY RATES & EXPENSES

HOURLY RATES

Effective May 1, 2025

CLASSIFICATION	HOURLY RATE
Senior Project Director	\$ 185.00 - \$ 255.00
Project Director	\$ 160.00 - \$ 230.00
Senior Project Manager	\$ 135.00 - \$ 210.00
Project Manager	\$ 115.00 - \$ 185.00
Assistant Project Manager	\$ 115.00 - \$ 165.00
Senior Project Engineer/Architect/Landscape Arch	\$ 115.00 - \$ 165.00
Senior Environmental Scientist	\$ 100.00 - \$ 165.00
Project Engineer/Architect/Landscape Arch	\$ 130.00 - \$ 155.00
Graduate Engineer/Architect/Landscape Arch	\$ 105.00 - \$ 150.00
Environmental Scientist	\$ 70.00 - \$ 145.00
Geospatial Analyst	\$ 70.00 - \$ 145.00
Senior Designer	\$ 90.00 - \$ 165.00
Designer	\$ 75.00 - \$ 125.00
CADD Operator	\$ 70.00 - \$ 110.00
Construction Representative	\$ 90.00 - \$ 145.00
Resident Project Representative (RPR)	\$ 65.00 - \$ 135.00
Senior Project Coordinator	\$ 90.00 - \$ 135.00
Project Coordinator	\$ 65.00 - \$ 130.00
Surveyor	\$ 95.00 - \$ 180.00
Survey Crew Chief	\$ 100.00 - \$ 130.00
Survey Technician	\$ 65.00 - \$ 90.00
Administrative/IT Support	\$ 50.00 - \$ 145.00
GIS Specialist	\$ 60.00 - \$ 105.00
Senior Technician	\$ 60.00 - \$ 135.00
Technician	\$ 45.00 - \$ 95.00
<i>Expert Testimony</i>	<i>2x Hourly Rates</i>

EXPENSES

All items per each, unless noted.

Internal:

Photocopies:	
Black & White	\$ 0.20
Color	\$ 0.50
Prints/Plots:	
Black & White/Color	\$ 0.50 /s.f.
Mylar	\$ 2.00 /s.f.
Travel:	
Mileage	\$ 0.70/mile*
Subsistence (Meals & Lodging)	At Actual Cost
Overnight/Immediate Delivery	At Actual Cost
Survey Crew Rates	
1-person crew	\$ 185.00/hour
2-person crew	\$ 215.00/hour
3-person crew	\$ 245.00/hour
Other:	
Electronic Media Copies/Transfers/File	\$ 300.00/file
Website Project File Sharing	\$ 1.00/MB/month
Construction Management Software	\$ 1,400.00/\$1MM/year
Surveying Equipment/Total Station Only	\$ 35.00 /day
Surveying Equipment/Total Station + GPS Unit	\$ 150.00 /day

* Adjusted annually in accordance with the Internal Revenue Service directives

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Tuesday, July 29, 2025 9:03 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization	Community Resource Center, Inc. ✓
Project Name	Safe Harbor Homeless Day Shelter
Federal Tax ID	46-2948959 ✓
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	With dignity and respect the Community Resource Center helps individuals and families get to the next step of their journey toward self-sufficiency and stability.
Address	37510 Oyster House Road
City	Rehoboth Beach
State	DE
Zip Code	19971

Contact Person	Nancy Alexander
Contact Title	Director
Contact Phone Number	3027274572
Contact Email Address	nalexander@rehobothcommunitycenter.org
Total Funding Request	 \$7,500
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	6280
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	15
Program Category (choose all that apply)	Health and Human Services
Primary Beneficiary Category	Homeless

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program

100

Scope

The Community Resource Center's Safe Harbor Day Shelter program for homeless men and women provides daytime shelter 7 days a week from December through March from 7:30 a.m. to 5 p.m., 7 days a week from mid-July to mid-August from 9 a.m. to 3 p.m., and Monday through Friday from 9 a.m. to 3 p.m. for the remaining months of the year. The program is under the supervision of a Program Manager who is a licensed social worker. Approximately 15-25 homeless men and women use the shelter each day. While at the shelter, staff help clients connect with services including physical and mental health screening, job counseling, and connections to housing. Partner organizations include Beebe Population Health, La Red Health Center, Nurses and Neighbors, Brandywine Mental Health Counseling, the Delaware Department of Labor, and other organizations.

The Community Resource Center's Safe Harbor shelter provides meals, beverages, laundry, showers, and toiletries, feminine hygiene products and adult diapers. Disposable plates, food, bowls and cups, flatware, cleaning supplies, napkins, shampoo, body wash, laundry detergent, etc. are required for the entire year. The CRC also keeps a supply of t-shirts, underwear, belts, socks and sweatpants and shirts, as well as hats and gloves. All of these services require staff to administer. The CRC hires additional staff during the winter and summer sessions.

In December of 2024, the CRC expanded the program by four weeks in the winter and four weekends in the summer. Therefore, the CRC is requesting \$7,500 for the expanded 2025-26 fiscal year.

**Please enter the
current support your
organization receives
for this project (not
entire organization
revenue if not
applicable to request)**

58,000.00

Description Operating Expenses

Amount 8,920.00

Description Personnel

Amount 56,740.00

TOTAL EXPENDITURES 65,660.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -7,660.00

Name of Organization Community Resource Center, Inc.

**Applicant/Authorized
Official** Nancy Alexander

Date 07/29/2025

**Affidavit
Acknowledgement** Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Tuesday, February 18, 2025 11:53 AM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization	Cape Henlopen Senior Center
Project Name	Rehoboth Concert Band Fundraiser
Federal Tax ID	51-0105667
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	To Support Adults 50 and Over To Lead Their Best Lives
Address	11 Christian St
City	Rehoboth Beach
State	DE
Zip Code	19971
Contact Person	Linda Bonville

Contact Title	Executive Director
Contact Phone Number	3022272055
Contact Email Address	Lindachsc@aol.com
Total Funding Request	1800.00
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	5600.00
Are you seeking other sources of funding other than Sussex County Council?	No
If YES, approximately what percentage of the project's funding does the Council grant represent?	N/A
Program Category (choose all that apply)	Cultural Other
Program Category Other	Fundraiser

Primary Beneficiary Category	Elderly Persons (62 +)
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	1000
Scope	The Cape Henlopen Senior Center is requesting the Sussex County Council support with our annual fundraiser. Over the past years the Rehoboth Concert Band have sponsored this fundraiser and all proceeds have benefited the center. The funds requested will be used to offset the costs. Our senior citizens have given so much to our society and it is only fair that we give back to them. Many of them face social isolation, health issues and financial constraints, which can impact their overall well being. With the proceeds from our annual fundraisers such as this, we are able to provide them with activities, resources and the opportunity to Lead Their Best Lives.
Religious Components	N/A
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	0.00
Description	Rental of Church
Amount	900.00
Description	Advertisement

Amount	550.00
Description	Tickets, Program Printing
Amount	350.00
TOTAL EXPENDITURES	1,800.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-1,800.00
Name of Organization	Cape Henlopen Senior Center
Applicant/Authorized Official	Linda Bonville
Date	02/18/2025
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Yes verbal 7/22
Greenebaum
Cfner

Bobbi Albright

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Wednesday, May 28, 2025 1:11 PM
To: Bobbi Albright
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

**Legal Name of
Agency/Organization**

Speak Out Against Hate (SOAH) Association. ✓

Project Name

Speak Out Against Hate Youth Education Programs

Federal Tax ID

99-1066302 ✓

Non-Profit

Yes

**Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)**

No

**Organization's
Mission**

Speak Out Against Hate is a non-profit initiated in 2023 in Sussex County, Delaware, to confront the rising tide of hatred that is becoming normalized in our communities and nationwide in a direct, focused manner. SOAH seeks to engage in this effort with all people of good faith; community leaders, businesses, elected officials, clergy, law enforcement personnel, young and old, regardless of color, creed, sexual orientation, national origin or religion.

Address

P.O. Box 1102

City

Rehoboth Beach

State	DE
Zip Code	19971
Contact Person	Mary Lou Tietz
Contact Title	Development Consultant
Contact Phone Number	302-539-0793
Contact Email Address	maryloutietz@yahoo.com

Total Funding Request

\$3,000

Has your organization received other grant funds from Sussex County Government in the last year?

No

If YES, how much was received in the last 12 months?

N/A

Are you seeking other sources of funding other than Sussex County Council?

Yes

If YES, approximately what percentage of the project's funding does the Council grant represent?

14

Program Category (choose all that apply)	Educational
Primary Beneficiary Category	Youth
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	100
Scope	<p>Speak Out Against Hate is a non-profit initiated in 2023 in Sussex County to confront the rising tide of hatred that is becoming normalized in our communities and nationwide in a direct, focused manner. SOAH seeks to engage in this effort with all people of good faith; community leaders, businesses, elected officials, clergy, law enforcement personnel, young and old, regardless of color, creed, sexual orientation, national origin or religion. SOAH has formed 5 Action Groups, including Youth and School Officials; Faith Leaders; Business Leaders; Elected Officials; and First Responders.</p> <p>SOAH requests a grant of \$3,000 from the Sussex County Council to help meet our goal to increase the number of youth from our community who are involved in our Youth and School Officials Action Group, encouraging them to engage in activities that support SOAH's mission so they learn how to speak out against hate and bullying in schools and communities. Following our first successful event for teens, SOAH intends to organize a Teen Advisory Board in 2025. Our goal is to hold one meeting per month and invite speakers to address topics such as the influence of social media on youth. Our first planned workshop will take place at Delaware Peace Week 2025. Grant funds will support youth memberships in SOAH, supplies, and the engagement of guest speakers, according to the program</p>

budget.

SOAH's target population for this project is middle- and high school-age youth in Sussex County school districts. Accordingly, youth participants will be 11 through 18 years of age. Since inclusion is vital to our mission, SOAH is focused on a diverse population of youth including in terms of racial groups, ethnic backgrounds, religious affiliations, and membership in the LGBTQ community. SOAH recently sponsored our first activity for teens, a Silent Disco night attended by 50+ youth. The event was planned by youth involved in SOAH and brought out a large group of their peers who listened to guest speakers and presentations about our mission.

Our goals for this project are the following: 1) Enroll 50 youth in the SOAH program during the 2025-2026 school year; 2) Introduce youth to the principals of SOAH's mission; 3) Organize educational events that promote ways to address issues of bullying and hate; and 4) Address the issue of social media and how it can be used to share SOAH's mission. Dialogue with youth participants will be ongoing and their feedback recorded, so that it can be used to increase awareness among youth they are in contact with daily to promote avenues for positive change.

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

18,000.00

Description

Marketing and Social Media Costs

Amount

4,500.00

Description

Youth Scholarships

Amount

5,000.00

Description	Program Supplies
Amount	2,000.00
Description	Meeting Space Rental
Amount	1,500.00
Description	Engagement of Guest Speakers
Amount	7,000.00
Description	Meeting Refreshments
Amount	1,000.00
TOTAL EXPENDITURES	21,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-3,000.00
Name of Organization	Speak Out Against Hate (SOAH)
Applicant/Authorized Official	Patty Maloney
Date	05/28/2025
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Yes Verbal 7/22
Grunbaum

Casey Hall

From: notifications@d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Wednesday, July 2, 2025 4:55 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

**Legal Name of
Agency/Organization**

~~Sussex County Land Trust~~ **Foundation Inc.**
SUSSEX LAND

Project Name

Dogfish Dash

Federal Tax ID

04-3611220 ✓

Non-Profit

Yes

**Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)**

No

**Organization's
Mission**

SCLT is a nonprofit conservation organization, dedicated to protecting natural, cultural, agricultural, and recreational resources through land preservation, stewardship and education for today and tomorrow.

Address

P.O. Box 372

City

Lewes

State

DE

Zip Code

19958

Contact Person	Sara Bluhm
Contact Title	Executive Director
Contact Phone Number	3025196767
Contact Email Address	sara@sclandtrust.org
Total Funding Request	10,000
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	5000
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	11
Program Category (choose all that apply)	Other
Program Category Other	5K

Primary Beneficiary Category	Other
Beneficiary Category Other	Environmental
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	1000
Scope	<p>The Dogfish Dash is an annual fundraising event that supports the Sussex County Land Trust's mission to conserve open space, connect people with nature, and protect Sussex County's unique natural and cultural resources. Funds raised through the Dash are used to enhance public access to preserved lands, improve trail and recreation infrastructure, and provide environmental education opportunities for residents and visitors alike.</p> <p>Sussex County continues to face rapid development pressures, which threaten the very landscapes that define its character and quality of life. As the population grows, there is an urgent need to balance development with conservation and ensure equitable access to open space and recreational opportunities. The Dogfish Dash engages over 2,000 participants and brings attention to the importance of land preservation while raising critical dollars for stewardship projects that benefit the entire county.</p> <p>Proceeds from the event directly support projects such as trail construction, habitat restoration, interpretive signage, and outdoor programming, improving the health, well-being, and quality of life for Sussex County residents and visitors.</p>
Please enter the current support your	48,500.00

organization receives
for this project (not
entire organization
revenue if not
applicable to request)

Description Personnel

Amount 30,000.00

Description Event Supplies

Amount 20,000.00

Description Merchandise

Amount 6,000.00

Description Raffle Supplies

Amount 2,500.00

TOTAL EXPENDITURES 58,500.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -10,000.00

Name of Organization Sussex County Land Trust

**Applicant/Authorized
Official** Sara Bluhm

Date 07/02/2025

**Affidavit
Acknowledgement** Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Yes verbal 7/22

Gruenebaum

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Tuesday, July 1, 2025 1:38 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form
Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization	Unique Minds Changing Lives Inc. ✓
Project Name	Summer Healthy Eating Food Pantry
Federal Tax ID	88-2520844 ✓
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	<p>To change the lives of low-income families and individuals residing in Sussex County that have fallen into hardship, by providing different types of services to help restore, educate and stabilize them.</p> <ul style="list-style-type: none">} To Increase Knowledge through Educational Trainings} Work Experience and Training Opportunities} Emergency Housing, Financial, Food and Clothing Assistance} Mental Health Case Management Services

- Y Youth Mentoring to Decrease Juvenile Crime, Alcohol, Nicotine and Drug usage
- Y Financial Literacy and Budgeting Classes
- Y Breaking the Barriers of Low Self-Esteem
- Y Anger Management Classes

Address 17584 Stingey Lane

City Lewes

State Delaware

Zip Code 19958

Contact Person Helena Gibbs

Contact Title President/CEO

Contact Phone Number 302-943-1945

Contact Email Address helenagibbs@uniquemindscl.com

Total Funding Request 5000.00

Has your organization received other grant funds from Sussex County Government in the last year? Yes

If YES, how much was received in the last 12 months? 2230.00

Are you seeking other sources of funding Yes

**other than Sussex
County Council?**

**If YES, approximately
what percentage of
the project's funding
does the Council
grant represent?**

25

**Program Category
(choose all that
apply)**

Educational

**Primary Beneficiary
Category**

Low to Moderate Income

**Approximately the
total number of
Sussex County
Beneficiaries served,
or expected to be
served, annually by
this program**

150

Scope

The Summer Healthy Eating Food Pantry in Lewes, Delaware, will directly support the Medicaid population by addressing both their immediate nutritional needs and long-term health outcomes. This population includes low-income children, pregnant women, seniors, and individuals with disabilities—many of whom experience higher rates of food insecurity and chronic health conditions.

The Summer Healthy Eating Food Pantry in Lewes, Delaware, serves as a vital community resource aimed at combating food insecurity while promoting healthier lifestyles. This initiative is part of a broader effort to ensure that individuals and families have access to nutritious food options during the summer months when school-based meal programs are not available.

Key Objectives of the Summer Healthy Eating Food Pantry:

1. Providing Nutritious Food: The pantry offers a variety of healthy food options, including fresh produce, dairy, meat, and eggs, sourced from local farms. This approach not only supports local agriculture but also ensures that community members receive high-quality, nutritious food. Cape Gazette

2. Nutrition Education: Beyond food distribution, the pantry emphasizes the importance of nutrition education. Programs are designed to teach individuals and families how to make healthier food choices, plan balanced meals, and utilize available resources effectively. fbd.org

3. Supporting Local Farmers: By partnering with local farms, the pantry helps sustain the local economy and ensures a steady supply of fresh, locally grown food. This collaboration benefits both the community and the farmers. Cape Gazette

4. Community Outreach and Partnerships: The pantry collaborates with various community organizations, such as the Lewes Community Garden and Teach a Person to Fish Society, to extend its reach and impact. These partnerships enable the pantry to provide additional resources and support to those in need. lewescommunitygarden.org

5. Accessibility and Convenience: To ensure that services are accessible to all, the pantry operates with flexible hours and locations, accommodating the diverse needs of the community.

The program helps to address several interrelated problems and challenges, especially those that become more acute during the summer months such as:

1. Food Insecurity

- Challenge: Many individuals and families in the Lewes area struggle to consistently access enough nutritious food, especially low-income households.
- Summer-specific issue: When school is out, children lose

access to free or reduced-price school meals, increasing pressure on family food budgets.

2. Lack of Access to Healthy, Nutritious Food

- Challenge: Even when food is available, it's often highly processed or nutritionally poor, especially in food deserts or underserved areas.
- How the pantry helps: It provides fresh produce, dairy, meat, and eggs, helping to ensure community members have access to balanced, health-supporting food options.

3. Limited Nutrition Education

- Challenge: Many people lack knowledge or resources to prepare healthy meals on a budget.
- Solution: The pantry often pairs food distribution with nutrition education, cooking demonstrations, or recipe sharing to empower families to make healthier choices.

4. Vulnerable Populations Left Behind in Summer

- Challenge: Seniors, children, and the unemployed may be particularly vulnerable during summer when resources are stretched or unavailable.
- Impact: This program ensures continued support during a time when many other food-related resources (like school lunches or seasonal jobs) may be reduced.

5. Weak Local Food System Support

- Challenge: Small local farmers often face economic hardship and have limited distribution channels.
- Benefit: By sourcing food locally, the pantry supports the local agricultural economy while supplying healthier food.

The Summer Healthy Eating Food Pantry in Lewes, DE presents several key opportunities

- These opportunities extend beyond food distribution and contribute to lasting impact:

1. Strengthening Community Impact

- Opportunity: Enhance your role as a trusted and proactive leader in addressing basic needs like hunger and health.
- Outcome: Build deeper relationships with local residents and demonstrate meaningful service to the community.

2. Advancing Health and Wellness Goals

- Opportunity: Aligns with public health goals by promoting better nutrition, healthy eating habits, and disease prevention (e.g., obesity, diabetes).
- Outcome: Position your organization as a champion of wellness and preventive care in the region.

3. Building Strategic Partnerships

- Opportunity: Collaborate with local farms, schools, healthcare providers, churches, and nonprofits.
- Outcome: Strengthen your community network and attract future collaboration or funding opportunities.

4. Leveraging Funding and Grants

- Opportunity: Programs that address food insecurity and public health are eligible for a wide range of local, state, federal, and private funding.
- Outcome: Expand your capacity with financial support and demonstrate measurable impact to funders.

5. Raising Visibility and Reputation

- Opportunity: Public-facing initiatives generate positive media coverage and community goodwill.
- Outcome: Increase awareness of your mission, attract new supporters, and enhance your reputation as a responsive and compassionate organization.

6. Data Collection and Program Evaluation

- Opportunity: Collect data on community needs, health outcomes, and food access.
- Outcome: Inform future programming, strengthen grant proposals, and improve service delivery.

7. Encouraging Volunteer Engagement

- Opportunity: Food pantries naturally attract volunteers from all walks of life—students, retirees, families, and civic groups.
- Outcome: Grow a more involved and empowered volunteer base to support your broader mission.

Religious Components	N/A
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	12,500.00
Description	Food Purchases - (local produce, dairy, eggs, and proteins from local farms and food suppliers (to supplement in-kind donations).
Amount	6,500.00
Description	Nutrition Education Materials & Programming - printing flyers, recipes, tip sheets; supplies for cooking demos (measuring cups, cooking tools); possible guest speaker honorarium.
Amount	2,200.00
Description	Personnel Support/Program Coordination - (Stipend for part-time summer program coordinator (planning, partner coordination, food orders, volunteer oversight, reporting).
Amount	3,500.00
Description	Transportation & Delivery Support - Gas/mileage reimbursement or rental van use for food pickup and community delivery (especially for seniors or those without transportation).
Amount	1,500.00
Description	Supplies & Equipment - Intake materials, clipboards, pens bags or boxes for food packaging, labels, signage, PPE (gloves, sanitizer, masks).

Amount	1,300.00
Description	Outreach Communications - Flyers, translation of materials into Spanish, small Facebook or local newspaper ad budget.
Amount	500.00
Description	Volunteer Support - Volunteer appreciation (snacks, t-shirts, certificates) basic training supplies.
Amount	750.00
Description	Administrative Expenses - printing, software (e.g., survey tools, data tracking), office supplies, etc...
Amount	2,000.00
TOTAL EXPENDITURES	18,250.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-5,750.00
Name of Organization	Unique Minds Changing Lives Inc.
Applicant/Authorized Official	Helena Gibbs
Date	07/01/2025
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

yes verbal 7/22

Greenbaum

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Friday, July 11, 2025 3:26 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

Legal Name of Agency/Organization	Autism Delaware, Inc. ✓
Project Name	Snowflake Soiree 2025
Federal Tax ID	20-2110190 ✓
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	Autism Delaware's mission is to help people and families affected by autism.
Address	17517 Nassau Commons Blvd.
Address 2	Unit 1
City	Lewes
State	DE
Zip Code	19958

Contact Person	Dan Getman
Contact Title	Director of Development
Contact Phone Number	3022246020
Contact Email Address	dan.getman@autismdelaware.org
Total Funding Request	2500
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	3000
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	3
Program Category (choose all that apply)	Health and Human Services
Primary Beneficiary Category	Disability & Special Needs

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program

1000

Scope

The Snowflake Soiree is Autism Delaware's annual celebration of inclusivity and night to showcase our efforts serving the autistic population of Delaware. Held in Rehoboth Beach, the evening features live music, an auction, and a host of memorable moments. All funds raised from the event will be used to support our year-round programs and services. Our staff, particularly the one *located in Lewes, is focused on providing clinical and employment services to individuals of all ages on the autism spectrum.

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

0.00

Description Entertainment

Amount 15,000.00

Description Venue

Amount 2,500.00

Description Food & beverage

Amount 1,500.00

Description Marketing

Amount	10,000.00
---------------	-----------

Description	Decor
--------------------	-------

Amount	16,000.00
---------------	-----------

Description	Staffing
--------------------	----------

Amount	5,000.00
---------------	----------

TOTAL EXPENDITURES	50,000.00
---------------------------	-----------

TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-50,000.00
--	------------

Name of Organization	Autism Delaware
-----------------------------	-----------------

Applicant/Authorized Official	Dan Getman
--	------------

Date	07/11/2025
-------------	------------

Affidavit Acknowledgement	Yes
--------------------------------------	-----

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

yes verbal 7/22

Casey Hall

Gruenebaum

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Thursday, May 1, 2025 9:53 AM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

**Legal Name of
Agency/Organization**

Friends of Prime Hook National Wildlife Refuge, Inc. ✓

Project Name

Family Educational Projects: Junior Ranger Trail and Purple
Martin Program

Federal Tax ID

51-0380294 ✓

Non-Profit

Yes

**Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)**

No

**Organization's
Mission**

The Friends of Prime Hook National Wildlife Refuge, Inc. was established in 1998 as a 501(c)(3) nonprofit organization. Our mission is to support educational, environmental, and recreational activities at Prime Hook National Wildlife Refuge. We work to increase public awareness of the role the Prime Hook NWR and U.S. Fish and Wildlife Service play in preserving habitat for native plants and animals.

The Friends group functions as the cooperating association of the refuge, managing a gift shop with educational and

nature-related items. Proceeds from gift shop sales, membership dues, and donations help the Friends group accomplish its mission.

Address 12322 Turkle Pond Road

City Milton

State DE

Zip Code 19968

Contact Person Carol Knapp

Contact Title Treasurer

Contact Phone Number 201-230-0230

Contact Email Address treasurer@friendsofprimehook.com

Total Funding Request 3000

Has your organization received other grant funds from Sussex County Government in the last year? No

If YES, how much was received in the last 12 months? N/A

Are you seeking other sources of funding other than Sussex County Council? No

If YES, approximately what percentage of the project's funding does the Council grant represent?

N/A

Program Category (choose all that apply)

Educational

Primary Beneficiary Category

Youth

Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program

45000

Scope

Junior Ranger Trail introduces children and families to exploring and learning about nature. The trail markers are reference points to the educational brochure detailing the points of interest. The families participate and at completion of the trail walk, the child participate receives a Jr Ranger Badge as well as a bag of educational nature learning resources. The funds will assist in maintaining the trail, posting educational markers, and printing of brochures.

Purple Martin Program allows families, elderly, and disability/special needs individuals to learn by hands on participation in the monitoring of the purple martin. Once weekly, our purple martin landlords lower the nesting towers to inspect all occupied gourds to record number of nests, eggs, hatchlings, and fledglings. The public is given an up close look at the new birds and through questions with landlords, learn about another part of nature and the world. The Friends recently purchased a third tower to expand our program and funding will help to defray this cost as well as educational handouts to attendees.

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

0.00

Description

Purple Martin tower

Amount

1,637.00

Description

Trail Markers/Jr Ranger Trail

Amount

500.00

Description

Educational Brochures both programs

Amount

350.00

Description

Educational signage for purple martin kiosk

Amount

500.00

TOTAL EXPENDITURES

2,987.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION**

-2,987.00

Name of Organization

Friends of Prime Hook NWR, Inc

**Applicant/Authorized
Official**

Carol Knapp

Date

05/01/2025

**Affidavit
Acknowledgement**

Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.

Casey Hall

Yes verbal
7/22
Grevenbaum

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Friday, July 11, 2025 2:06 AM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

**Legal Name of
Agency/Organization**

Delaware Law Enforcement Thank You Ride Association ✓

Project Name

Delaware Law Enforcement Thank You Ride 2025

Federal Tax ID

99-4785605 ✓

Non-Profit

Yes

**Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)**

No

**Organization's
Mission**

The annual ride for law enforcement and public safety is on schedule for the fifth year in mid- September (9.11 & 9.12) from Wilmington to Dewey Beach. The two day bicycle ride aims to bring awareness and gratitude to law enforcement, first responders and families across Delaware. Our riders and our support team include active and retired law enforcement officers, first responders, their families and survivors of fallen. The DE Law Enforcement Thank You Ride is committed to honoring all members of public safety, fallen officers and first responders We honor and support families of first responders who have tragically lost their lives in the line of duty, and we work to promote mental

wellness for those who have served and continue to serve. An added support initiative is the annual DE Law Enforcement Memorial ceremony and roll call of fallen produced and hosted by the Delaware State Lodge, Fraternal Order of Police.

Address 11 Iowa Avenue

City Lewes

State DE

Zip Code 19958

Contact Person JuneRose Futcher

Contact Title Survivor, member rider of DE Law Enforcement Thank You Ride

Contact Phone Number 302-645-8829

Contact Email Address jrfdelaware@gmail.com

Total Funding Request ~~2,000~~ 3,000 please see email.

Has your organization received other grant funds from Sussex County Government in the last year? No

If YES, how much was received in the last 12 months? N/A

Are you seeking other sources of funding Yes

**other than Sussex
County Council?**

**If YES, approximately
what percentage of
the project's funding
does the Council
grant represent?**

20

**Program Category
(choose all that
apply)**

Cultural
Other

**Program Category
Other**

Public safety awareness

**Primary Beneficiary
Category**

Other

**Beneficiary Category
Other**

Public safety awareness and appreciation

**Approximately the
total number of
Sussex County
Beneficiaries served,
or expected to be
served, annually by
this program**

1,000

Scope

The financial support made possible by county grant funding (and community support) will provide for meals, provisions, hotels, transportation, uniforms, tools and equipment, and fuel for the two day ride. Support personnel who operate safety vehicles, and rider support, law enforcement motor units, and a volunteer mechanic are supported for their professional hard work and time. Survivors of fallen are also supported as a show of gratitude for their sacrifice and loss of a fallen first responder. Meals and provisions are generously provided to all members of the ride as a show of gratitude for their service and

devotion to community. We make many stops as we ride approximately 160 miles on our bicycles for two days. I wish to express my personal appreciation for these grant monies that allow me to honor and remember my fallen grandfather of the Lewes PD (This is my 10th year) as I ride my bicycle across my home state of Delaware. We encourage members of Sussex County Council and county personnel to greet the delegation when we stop in Georgetown on day two (9.12) in Sussex County..9,200

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

0.00

TOTAL EXPENDITURES

0.00

TOTAL DEFICIT FOR PROJECT OR ORGANIZATION

0.00

Name of Organization

Delaware Law Enforcement Thank You Ride Association

Applicant/Authorized Official

JuneRose Futcher

Date

07/11/2025

Affidavit Acknowledgement

Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status. Please feel free to email clientservices@d3corp.com with any questions.

Casey Hall

From: junerose JR Futchter <jrfdelaware@gmail.com>
Sent: Friday, July 11, 2025 7:21 AM
To: Casey Hall
Subject: Delaware Law Enforcement bicycle tour grant application

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Can you help me understand the line items and deficits?. I attempt to add numbers and they return to zero each time.

Also, Can you go in and add that **80 or more bicyclists and 12 or more support** personnel will be in the tour this year? I forgot!

Is it possible change request for \$3,000? I

Also, I have tried to reach Council woman Greenbaum to thank her and introduce myself. Is there an office number? Email went unanswered.

Remember 9.12 we ride into Georgetown for lunch stop and ceremony!

Thank you!

--JR

JuneRose Futchter

Yes. 7/31.
Greenebaum

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Wednesday, July 30, 2025 5:17 PM
To: Casey Hall
Subject: Form submission from: Council Grant Form

CAUTION: This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Council Grant Form

**Legal Name of
Agency/Organization**

Developing Artist Collaboration ✓

Project Name

Final Phase of the 2025 West Side Creative Market
Renovation

Federal Tax ID

821214176 ✓

Non-Profit

Yes

**Does your
organization or its
parent organization
have a religious
affiliation? (If yes, fill
out Section 3B.)**

No

**Organization's
Mission**

The Developing Artist Collaboration (DAC) exists to transform communities by elevating artists. We build creative communities through workforce development, peer connection, and public-facing opportunities that empower artists to build sustainable careers. DAC challenges the "starving artist" mentality by equipping creatives with the tools, mentorship, and platforms they need to thrive—fueling both local economies and cultural vitality.

At the same time, DAC enriches the broader community by

creating inclusive, engaging, and accessible experiences—from public art markets and exhibitions to creative programming and youth mentorship. By connecting artists directly with the public, we foster economic empowerment, community pride, and a vibrant local culture that benefits everyone.

Address 37401 Malloy St

City Rehoboth Beach

State DE

Zip Code 19971

Contact Person Leah Beach

Contact Title Founder

Contact Phone Number 3022129798

Contact Email Address leah@developingarts.org

Total Funding Request

1200.00

Has your organization received other grant funds from Sussex County Government in the last year?

No

If YES, how much was received in the last 12 months?

N/A

Are you seeking other sources of funding

Yes

**other than Sussex
County Council?**

**If YES, approximately
what percentage of
the project's funding
does the Council
grant represent?**

9

**Program Category
(choose all that
apply)**

Cultural
Infrastructure

**Primary Beneficiary
Category**

Other

**Beneficiary Category
Other**

General Public

**Approximately the
total number of
Sussex County
Beneficiaries served,
or expected to be
served, annually by
this program**

25000

Scope

The Developing Artist Collaboration (DAC) respectfully requests support from Sussex County Council to complete critical infrastructure improvements at the West Side Creative Market—a vibrant seasonal outdoor event space and creative economy hub located in West Rehoboth. Now in its fourth year, the Market has become a beloved community gathering space, already welcoming nearly 10,000 visitors this season alone. It provides meaningful income and exposure to over 87 local artists, 26 different food vendors, and 28 musicians, fueling both creative entrepreneurship and local economic activity.

Thanks to the support of the Delaware Division of the Arts, which awarded us a Special Project Grant of \$6,680, we've

been able to make significant improvements this season. The remaining work has been funded directly through DAC's operational budget. The following work has been completed:

1. Installed custom-designed shade coverings and half umbrellas to provide heat relief for artists and guests.
2. Replaced outdated and rusted furniture, creating a safer, more professional, and welcoming gathering space.
3. Upgraded the lighting infrastructure with a centralized pole system for string lights, greatly improving visibility and safety for evening events.
4. Repurposed used fridges and freezers, streamlining bar operations and reducing staff time by 40%.
5. Demolished a deteriorating bar structure, opening up the space for increased guest seating—boosting capacity by 25%.

These upgrades have significantly elevated the Market experience, allowing us to accommodate more guests, operate more efficiently, and host programming into the evening hours. However, one critical infrastructure gap remains that limits our ability to safely and inclusively serve the public.

Earlier this season, we began removing the uneven gravel that made it difficult for individuals with strollers, wheelchairs, or walkers to navigate the space. We estimate that nearly 30% of Market attendees use a mobility aid of some kind. Due to limited funding, we were unable to complete the gravel replacement or address the metal edging around the sod area, which poses a significant trip hazard. We request for funds from Sussex County Council to help us get this project to the finish line.

With County support, we will:

1. Finish the gravel replacement project.
2. Improve the hazardous edging (tripping hazard) and improve overall navigation pathways.

This is the final phase of our original renovation plan and is essential to ensuring that the West Side Creative Market is

safe, inclusive, and accessible for all members of the community—especially seniors, families, and individuals with disabilities. Funding support from Sussex County Council would enable us to complete the final aspect of the project.

The West Side Creative Market is far more than an event—it is a platform for economic empowerment, workforce development, and community connection. It uplifts local entrepreneurs and artists, activates public space in West Rehoboth, and brings together diverse members of our community in a creative, welcoming environment.

By helping us complete these final infrastructure improvements, Sussex County Council will play a direct role in ensuring this cherished community asset remains safe, accessible, and sustainable—supporting both economic opportunity and quality of life for years to come.

Like many nonprofits, DAC has faced a challenging fundraising landscape this year, with significant declines in sponsorships, donations, and grant awards. As a result, much of the progress we've made at the Market has relied on our core operational funding—a strain we cannot continue to carry alone. Your support at this pivotal moment would not only complete this critical project but also affirm the County's commitment to inclusive community development and the creative economy. We would be deeply grateful for your partnership in bringing this vision to completion.

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)

6,680.00

Description

ADA Gravel Replacement

Amount	3,750.00
Description	Demo & Rebuild of the Bar + Equipment
Amount	3,885.00
Description	Custom Shade Coverings & Half Umbrellas
Amount	895.00
Description	Replacement of Rusted Furniture
Amount	2,875.00
Description	Lighting Infrastructure Upgrade
Amount	1,225.00
TOTAL EXPENDITURES	12,630.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-5,950.00
Name of Organization	Developing Artist Collaboration
Applicant/Authorized Official	Leah Beach
Date	07/30/2025
Affidavit Acknowledgement	Yes

If you feel this is not a valid submission please log into D3Forms to update this submissions status.
Please feel free to email clientservices@d3corp.com with any questions.



Memorandum

To: Sussex County Council
The Honorable Douglas B. Hudson
The Honorable Jane Gruenebaum
The Honorable Matt Lloyd
The Honorable Steve McCarron
The Honorable John L. Rieley

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: August 8, 2025

RE: County Council Report for C/U 2395 filed on behalf of Breeze-A-Bella Land Group, LLC

The Planning and Zoning Department received an application (C/U 2395 filed on behalf of Breeze-a-Bella Land Group, LLC) for a distribution warehouse in an AR-1 Agricultural Residential Zoning District at Tax Parcel 135-20.00-81.00. The property is located at 22318 Cedar Lane, Millsboro. The parcel size is 10.896 acres. +/-

The Planning & Zoning Commission held a Public Hearing on the application on July 2, 2025. At the meeting of July 23, 2025, the Planning & Zoning Commission recommended approval of the application for the 9 reasons stated and subject to the 14 recommended conditions as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meeting on July 2, 2025, and July 23, 2025.

Minutes of the July 2, 2025, Planning & Zoning Commission Meeting

C/U 2395 Breeze-A-Bella Land Group, LLC

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A DISTRIBUTION WAREHOUSE TO BE LOCATED ON A 10.896 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 71.127 ACRES, MORE OR LESS. The property is lying on the south side of Park Avenue (S.C.R. 318) at the intersection of Park Avenue (S.C.R. 318) and Cedar Lane (S.C.R. 321A). 911 Address: 22318 Cedar Lane, Millsboro. Tax Map Parcel: 135-20.00-81.00.



Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Preliminary Site Plan, the DelDOT Service Level Evaluation Response, a Soil Evaluation Report, comments received from the Sussex County Engineering Department Utility Planning Division, the Staff Analysis Report, and the property deed. Mr. Whitehouse advised that Commission that one public comment was received for the Application, which was included in the paperless packet.

The Commission found that Mr. Doug Wade, owner of Breeze-A-Bella Land Group, LLC, and the subject property, spoke on behalf of his application. Mr. Wade stated that the property is located along Park Avenue in Sussex County; that the property is within the AR-1 (Agricultural Residential) Zoning District; that he was requesting Conditional Use approval for the 10.896 acre portion of the property for the construction of a distribution warehouse facility; that he selected the property based on the fact that it was the furthest away from the neighbors, and would not require the destruction of the forested area of the property; that the warehouse would serve as a relocation and expansion of the of their existing e-commerce operations located at multiple locations within Georgetown; that their main facility is located along Governor Stockley Road, at the intersection of Bunting Road and Governor Stockley Road, behind Melvin Joseph's; that they also rent several properties in the Rt. 9 Industrial Center, located not far from the subject site; that they have struggled to find ample space in Georgetown to accommodate their growing business in an efficient manner, over the past several years; that they are committed to their roots in Georgetown, and do not wish to seek space outside of the Georgetown area; that the proposed facility will include product storage, shipping and packaging space, administrative offices, and equipment and materials that are essential to their daily operations; that he owns and operates several businesses that are interconnected by their commitment to quality and local integrity; that they do Freedom Farms, which is where they produce and package non-GMO garden seed for local and national sales; that they produce and package high quality hay for all livestock and small pets; that he owns and operates DIY Tool Supply, which is their flagship e-commerce business, where they sell both private label and name brands through Amazon, Walmart and other online platforms; that Breeze-A-Bella Land Group is where they manage several rental properties, as well as, over 100 acres of agricultural hay fields throughout the Georgetown area; that they also have a cattle operation, where they raise grass fed, grass finished beef; that they sell these animals as quarters, halves and directs at local farmers markets; that they produce and sell beef jerky and beef sticks, locally and nationally online; that the main herd is on the subject property, along Park Avenue and Cedar Lane; that they will remain there; that the section of the property, located closest to the residential houses, is the pasture; that the pasture is currently fenced; that the pasture runs the whole length behind all neighbors, going down the whole length of the property with a fence; that there is approximately 40 acres of existing woodlands on the property; that this was their reasoning for selecting the 10 acres opposite of their house; that the pasture will remain in its current location; that the pasture generally holds approximately 50 cows; that some cattle are also kept on the property located at Hardscrabble Road and Shortly Road; that a lot of their hay is produced from this same location; that his personal residence is located along Pettyjohn Road, where another herd is also kept; that they currently employ 24 individuals, of which the vast majority are full-time employees; that their business offers health insurance, retirement plans, and educational assistance reimbursement; that they anticipate by receiving approval for their Conditional Use, they will create additional local jobs, as they expand their warehouse, as it will function as a distribution and logistics hub; that they receive trucks in from their suppliers; that the average number of trucks is approximately 10 commercial trucks a month, averaging to about two per month; that once truckloads come in, they unload them, being to repack, relabel, repalletize them; that generally once per week Amazon will send a truck, where they load up the truck; that the truck then takes the load to their distribution center; that the bulk majority of their business is through Amazon's fulfillment centers; that customers will place and order

from their company, but Amazon is the company performing the last mile delivery; that Amazon picks, packs and sends the product; that they do a very small amount of this from their facilities; that generally at most, UPS and USPS comes to their locations daily to pick up a handful of packages; that the surrounding area of the site features a mix of residential, agricultural and industrial uses, including a nearby industrial warehouse facility located just to the northeast of the subject property along Park Avenue; that the site is located within the Developing Area, being designated as a growth area, under the current Sussex County Comprehensive Plan; that this is an area where the Comprehensive Plan anticipates and encourages commercial and industrial development, seeks to support employment opportunities, and provides a strategic buffer between fully residential and industrial zoned parcels; that they believe the proposed Conditional Use aligns precisely with both the County Code and the Comprehensive Growth Plan for the County; that they believe approval of the facility will offer several meaningful advantages being, job creation by adding local full-time positions across logistics, warehousing, administration, warehouse management, and administration graphic design; that many of their employees are trained to build listings, promote content and fulfillment; that another benefit would be fulfillment support for agriculture; that their business is a lot like their farm; that a lot of their products are for agriculture, they just push them on a national scale; that these products consist of hay for small pets such as rabbits or hamsters, as well as the products they grow locally, but ship throughout the country; that the proceeds from the expansion will help to sustain their grass fed cattle operations and the seed production; that they have also partnered with Russell White and Four Corners Farm to aggressively grow our position in the hay market, by investing in new agricultural land leases for the production of multiple species of hay; that they are able to take a 50 lb. bale of hay, break it down into one pound and five pound packages, selling thousands of packages nationally; that their seed business is their largest segment of their overall business; that they are a locally owned company, not a national chain; that the proposed application is a strategic and responsible expansion, which remains in harmony with the community values; that the proposed use will have minimal environmental impact with the private septic and well systems, which have been approved by DNREC, and with no hazardous materials on site; that their operations maintain a low ecological footprint; that DelDOT conducted a response stating that the traffic impact would be negligible; that they are following DelDOT's strict access requirements using what will remain of Cedar Lane; that they originally felt it would be easier to have an entrance along Park Avenue; that DelDOT decided that Park Avenue was not the best flow for traffic because of their completion of their project; that DelDOT felt it would be best for the traffic to come behind the existing single-family home, connecting back to Cedar Lane; that Cedar Lane will be going away as part of DelDOT's Phase 2 project; that they propose orderly and quiet operations; that their hours are limited from 8:00 am until 6:00 pm, with limited weekend operations; that there is no excessive noise and no outdoor storage; that the expansion will generate additional tax revenue; that this will help to fund schools, infrastructure and public services; that they worked closely with DelDOT from the beginning; that their site plan was developed in close coordination with DelDOT and in response to their Phase 2 Park Avenue Relocation Plan; that they will not proceed with construction until the Phase 2 DelDOT improvements, including the Cedar Lane rerouting are substantially complete; that they will wait for DelDOT to complete their project before they would break ground for construction of the Conditional Use; that there is a lack of public utilities in the area, and therefore the site is served by an on-site septic and well system which will be installed; that DNREC has reviewed and approved the necessary septic guidelines; that there will be stormwater management; that it will be a 22,000 square foot retention area that will be constructed during their Phase 1, to manage runoff and prevent environmental impact; that they have received approval from the FAA for the site; that none of the buildings are proposed to be taller than the existing trees; that Phase 1 on their project would include the entrance construction via Cedar Lane, per DelDOT's guidance, the initial parking area, warehouse

building 1 and warehouse building 2, the stormwater retention system, the septic installation, and the DelDOT easement; that Phase 2 of their project will consist of construction of the additional warehouse buildings, extended parking and the setback and screening buffers as shown on the site plan; that all developments will adhere strictly to all Sussex County Codes, building requirements, and setback regulations; that to minimize the community impact, they propose the self-imposed operational standards being, normal hours of operation from 8:00 am until 6:00 pm, Monday through Friday; that delivery and pickups are to be between 9:00 am and 4:00 pm on weekdays; that they will limit weekend operations, based on the seasonality of their business; that at times they may be required to work on a Saturday, but traffic would only be employees; that no truck traffic would be permitted on Saturdays; that no hazardous material storage is proposed; that no outdoor stockpiling or debris will be stored onsite; that they will have security systems installed; that they will have a designated dumpster area, with professional site maintenance and landscaping; that the proposed Conditional Use is a strategic and responsible expansion of a locally owned business, which has been in operation for nearly two decades; that the proposed use aligns with the County's Comprehensive Plan, designating Developing Areas as growth areas; that the proposed use serves the best interests of the community by bringing jobs, preserving local agriculture, and enhancing economic opportunities; that they had taken a careful and deliberate approach, working closely with DelDOT, DNREC and their engineers to ensure that the proposed project is safe, efficient, and respectful of the surrounding neighborhood and he kindly requested the Commission to approve the requested Conditional Use so that they could continue building a sustainable, community-minded business for Sussex County.

Ms. Wingate questioned work hours for occasional Saturday operations, the number of employees, if parking will be established before the building improvements, and if hazardous substances will be stored on the site.

Mr. Wade stated that he would request Saturday operation hours to remain as 8:00 am until 6:00 pm; that that the main distinction would be that there would be no commercial traffic to the site on Saturdays; that there would be no operations on Sundays; that the total number of current employees is 24; that the 24 employees are split between the location at the Rt. 9 Industrial Park and the location along Governor Stokely Road; that with the approval of the Conditional Use it will allow for double the space; that he anticipates to hire an additional eight to ten people immediately; that parking spaces will be established on the site prior to the building improvements; that there will be no hazardous substances on the site and there will be no outside storage on the site.

The Commission found that there was no one present who wished to speak in support of or in opposition to the Application.

Upon there being no further questions, Chairman Wheatley closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to C/U 2395 Breeze-A-Bella Lang Group, LLC. Motion by Ms. Wingate to defer action for further consideration, seconded by Mr. Collins and carried unanimously. Motion carried 4-0.

Minutes of the July 23, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since July 2, 2025.

Ms. Wingate moved that the Commission recommend approval of C/U 2395 Breeze-A-Bella Land Group, LLC in a-AR-1 Agricultural Residential District for a distribution warehouse based upon the record made during the public hearing and for the following reasons:

1. The use is situated on 10.896 acres of a much larger 71.127-acre parcel of land. With the conditions and stipulations of approval, the use will not have a negative impact on the neighboring properties or surrounding area.
2. The purpose of this application is to create a centralized location for distribution warehouses with indoor storage. This site will allow the Applicant's business to consolidate at an appropriate location in Sussex County on the outskirts of Georgetown. The Applicant has stated that there is not any other suitable space for the consolidated distribution business in the Georgetown area.
3. The Property is located across Park Avenue from Sussex County's Delaware Coastal Airport & Business Park. The use is consistent with these surrounding uses.
4. The warehouses have been located in an area that is the farthest from any neighboring residential uses while preserving the existing forested areas on the property.
5. A portion of the property will remain to be used for the Applicant's cattle herd, which is permitted within the AR-1 zoning District.
6. No retail sales will occur from the property.
7. DelDOT has stated that the use will have a "negligible" impact upon local area roadways. The applicant has stated that the incoming and outgoing truck traffic is minimized, at approximately 2 or 3 trucks per week. As a result, the use will not have an adverse impact on the traffic or area roadways.
8. This Property is located within the Developing Area according to the Future Land Use Map contained in the Sussex County Comprehensive Plan. The Developing Area is a Growth Area where business and commercial uses such as this can be located.
9. This use promotes the economy of Sussex County at an appropriate location.
10. This recommendation is subject to the following conditions:
 - A. The conditional use shall be limited to a distribution warehouse facility within buildings specifically designated for that purpose as depicted on the Final Site Plan.
 - B. All work and storage shall only occur indoors.
 - C. No retail sales shall occur from the site.
 - D. No outside storage associated with the warehouse distribution business shall be permitted. This prohibition shall not apply to storage associated with the Applicant's other uses that are permitted within the AR-1 Zoning District.
 - E. All lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.
 - F. Any dumpsters on the site must be screened from the view of neighboring properties and roadways.
 - G. The Applicant shall comply with all DelDOT requirements for entrance and roadway improvements.

- H. The hours of operation shall be Monday through Saturday between 8:00 a.m. until 6:00 p.m. There shall not be any Sunday hours.
- I. One indirectly lit on-premises ground sign shall be permitted on the site. It shall be no larger than 32 square feet per side.
- J. All vehicle parking areas shall be clearly shown on the Final Site Plan and clearly marked on the site itself. All vehicles must be parked within the designated areas.
- K. No junked, inoperable or untitled vehicles shall be located on the site.
- L. Stormwater management and erosion and sedimentation control facilities shall be constructed in accordance with all applicable State and County requirements. These facilities shall be operated in a manner that is consistent with Best Management Practices. The Final Site Plan shall include the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- M. Failure to comply with any of these conditions may be grounds for the termination of the Conditional Use approval.
- N. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Ms. Wingate, seconded by Mr. Mears, and carried unanimously to recommend approval of C/U 2395 Breeze-A-Bella Land Group, LLC for the reasons and conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Ms. Wingate – yea, Mr. Mears – yea, Mr. Collins – yea, Mr. Butler – yea, Chairman Wheatley – yea

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
HOLLY J. WINGATE, VICE-CHAIRMAN
J. BRUCE MEARS
GREGORY SCOTT COLLINS
BRIAN BUTLER



Sussex County

DELAWARE
SUSSEXCOUNTYDE.GOV
302-855-7878 T
302-854-5079 F
JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: July 2, 2025

Application: CU 2395 Breeze-A-Bella Land Group LLC

Applicant: Breeze-A-Bella Land Group, LLC
c/o Atwell, LLC (B. Rosenberger)
128 West Market Street
Georgetown, DE 19947

Owner: Breeze-A-Bella Land Group, LLC
c/o Atwell, LLC (A. Bennett)
18559 Pettyjohn Road
Georgetown, DE 19947

Site Location: The site is located on the south side of Park Avenue (S.C.R. 318) at the intersection of Park Avenue (S.C.R. 318) and Cedar Lane (S.C.R. 321A)

Current Zoning: Agricultural Residential (AR-1)

Proposed: Distribution Warehouse

Comprehensive Land
Use Plan Reference: Developing Area

Councilmanic
District: District 5 – Mr. Rieley

School District: Indian River School District

Fire District: Georgetown Fire Company

Sewer: Private septic

Water: Private Well

TID: Not Applicable

Site Area: 71.127 acres +/- (p/o 10.896 acres)

Tax Map ID: 232-8.00-44.01





Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Michael Lowrey, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: June 13th, 2025
RE: Staff Analysis for CU 2395 Breeze-A-Bella Land Group LLC

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application for CU 2395 Breeze-A-Bella Land Group LLC to be reviewed at the July 2nd, 2025, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following staff analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 135-20.00-81.00

Proposal: The request is for a Conditional Use for Tax Parcel #135-20.00-81.00, to allow for a “Distribution Warehouse” to be located on a Parcel lying on the south side of Park Avenue (S.C.R. 318) at the intersection of Park Avenue (S.C.R. 318) and Cedar Lane (S.C.R. 321A). The use is proposed on a (10.896) +/- acre portion of a Parcel comprised of a total of (71.127) acres +/-.

Zoning: The subject property is zoned Agricultural Residential (AR-1) District. All adjacent parcels to the Parcel are zoned Agricultural Residential (AR-1) District with a single (LI-2) Light Industrial Parcel across Park Avenue to the north which hosts Delaware Coastal Airport.

Future Land Use Map Designation w/in Comprehensive Plan: Developing Area

Applicability to Comprehensive Plan: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property is designated as a Growth Area and has a land use designation of “Developing Area.” All adjacent parcels on the south side of Park Avenue also have the “Developing Area” designation with the parcels opposite on the north side of Park Avenue within both the “Developing Area” and “Industrial Area” classifications.

As outlined within the 2018 Sussex County Comprehensive Plan, *Developing Areas* are “newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future

annexation areas of a municipality, or adjacent to Town Centers” (2018 Sussex County Comprehensive Plan, 4-14).

In terms of non-residential development, the Plan also provides guidelines for *Developing Areas* as follows:

In selected areas and at appropriate intersections, commercial uses should be allowed. A variety of office uses would be appropriate in many areas. Portions of the Developing Areas with good road access and few nearby homes should allow for business and industrial parks. (2018 Sussex County Comprehensive Plan, 4-14).

Further Site Considerations:

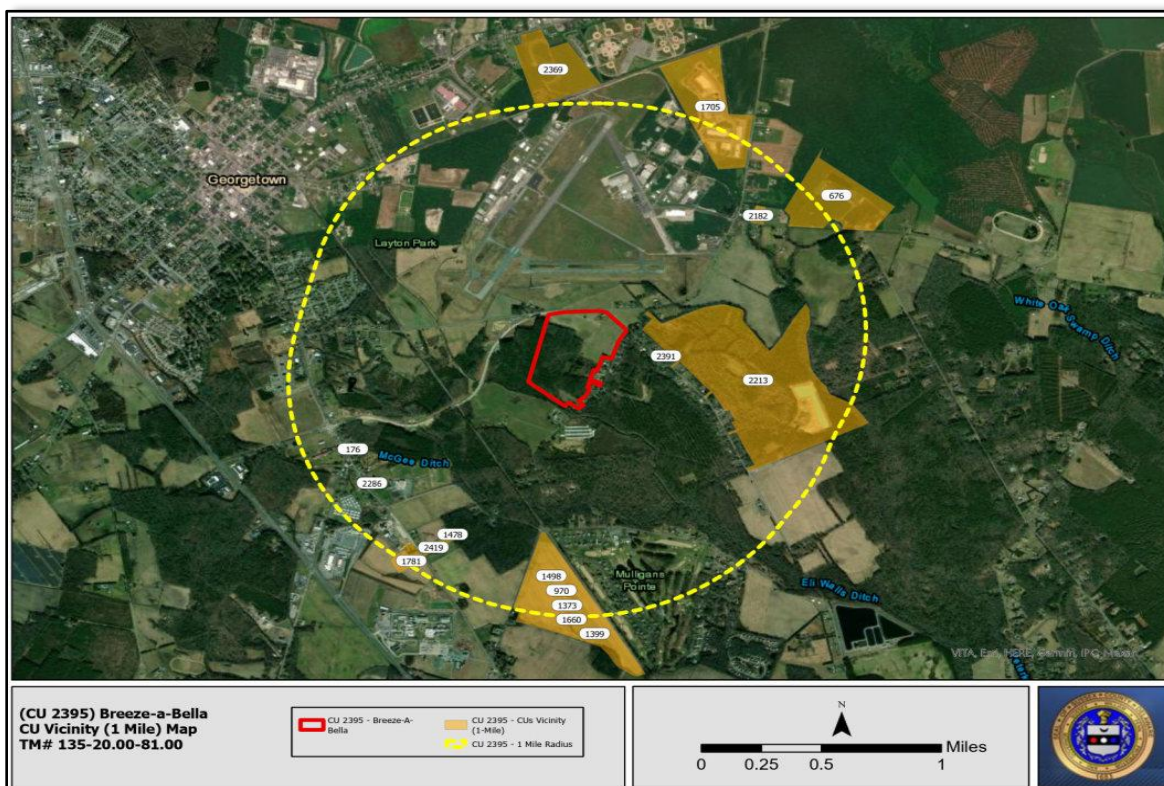
- **Density: N/A**
- **Open Space Provisions: N/A** – Staff note that the Conditional Use Application and Site Plan is proposing the “Distribution Warehouse” use on a limited (10.896) acre portion of the overall (71.127) acre Parcel along the Parcel’s frontage along Park Avenue with the no improvements proposed on the remaining (≈60.2) acres on the southern portion of the Parcel.
- **Agricultural Areas:** The site is within the vicinity of active agricultural lands.
- **Interconnectivity: N/A**
- **Transportation Improvement District (TID): N/A**
- **Forested Areas:** Aerial imagery indicates existing trees and/or forest comprise approximately half of the Parcel on the southern and western portions of the site. The limited (10.896) area proposed as part of this Conditional Use Application appears to be largely outside of the existing forested areas present on the Parcel.
- **Wetlands Buffers/Waterways:** The Conditional Use Site plan indicates the presence of an isolated area of wetlands around a pond on the site which is to rear of the Parcel and outside of the proposed Conditional Use area. Additionally, the Applicant has proffered a (50) foot wetland buffer around the pond which exceeds the non-tidal buffering standard required by County Resource Protection Codes.
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The property is located within Flood Zones “X” and Staff note that the Parcel is not within a Wellhead Protection Area. The majority Parcel is classified as within areas of “Good”, in terms of Groundwater Recharge Potential on the site per data from the State of Delaware with a small portion along the limited frontages on Wood Branch Road within an area of “Excellent” Groundwater Recharge Potential.

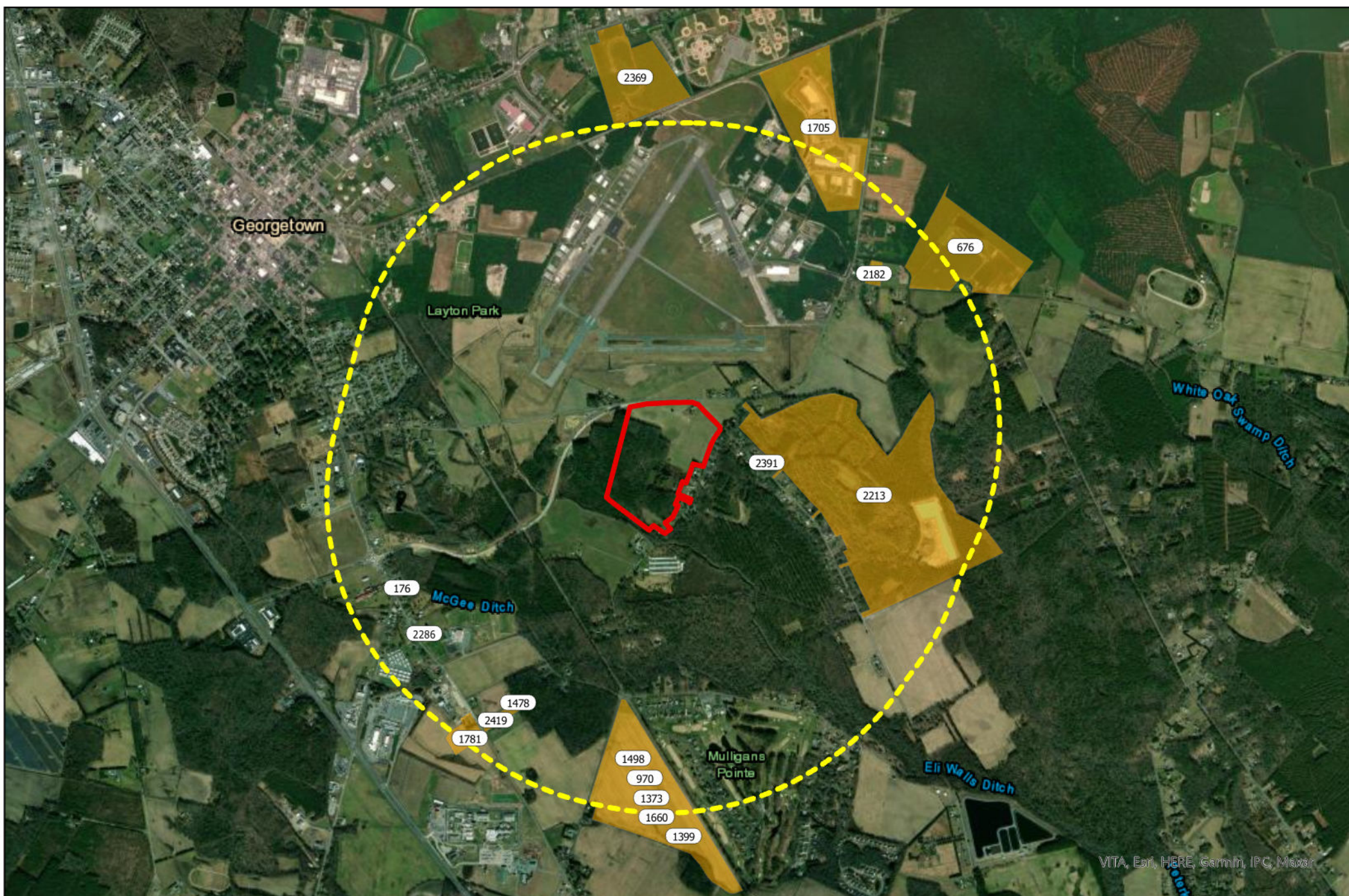
Based on the analysis provided, the Conditional Use to allow for a “Distribution Warehouse” on the limited portion with frontage on Park Avenue, could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

Existing Conditional Uses within the Vicinity of the Subject Site: Staff have identified a history of sixteen (16) Conditional Use applications within a one (1) mile radius of the application site. A Data Table and Supplemental Map have been supplied to provide additional background regarding the approval status of Applications in the area to include the location of all current or previous Conditional Use Applications that are less than 1 mile distance from the subject site.

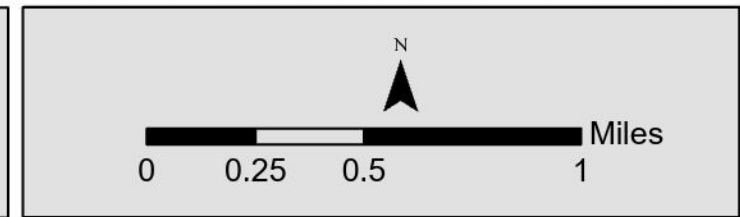
Conditional Use Applications						
(Within a 1-mile radius of the subject site)						
CU Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ord. Number
176	Russell Murray	MR	Addition To Existing Body Shop	Approved	11/20/1973	N/A
676	J Everett Moore Sr	AR-1	Farm Pond	Approved	4/27/1982	N/A
970	Bio Gro Systems, Inc	AR-1	Land Application of Sludge	Approved	7/2/1991	772
1373	Synagro-WWT, Inc.	AR-1	Sludge Application	Approved	1/2/2001	1424
1399	Synagro-WWT Inc.	AR-1	Wastewater Treatment Biosolids	Approved	6/5/2001	1465
1478	Eric & Laura James	AR-1	Electrical Contract Business	Approved	4/15/2003	1598
1498	Synagro-WWT, Inc.	AR-1	Amend CU 1373 & 1399	Approved	8/26/2003	1628
1660	Synagro- WWT, Inc.	AR-1	Sludge Application	Approved	7/18/2006	1861
1705	The Commonwealth Group (King Farm Industrial Park)	AR-1	Warehousing, Mini Storage & Contractor Condominiums	Approved	10/2/2007	1934

1781	Rodney W. Smith	CR-1	Multi-Family	Approved	10/28/2008	2004
2182	Samuel G. Thomas	AR-1	Automotive Repair and Dealer	Approved	9/17/2019	2679
2213	Whitetail Lane, LLC	AR-1	Borrow Pit	Approved	6/30/2020	2720
2286	Kathryn Landon	MR	Parking and Construction Business	Withdrawn	N/A	N/A
2369	Leeward Chase DE, LLC	AR-1	Multi-Family (106)	Approved	6/27/2023	2936
2391	M.R.O. Auto Repair, LLC	AR-1	Auto Repair Shop	Approved	6/6/2023	2925
2419	ACR Auto Center, LLC	AR-1	Auto Care Center	Withdrawn	N/A	N/A





**(CU 2395) Breeze-a-Bella
CU Vicinity (1 Mile) Map
TM# 135-20.00-81.00**

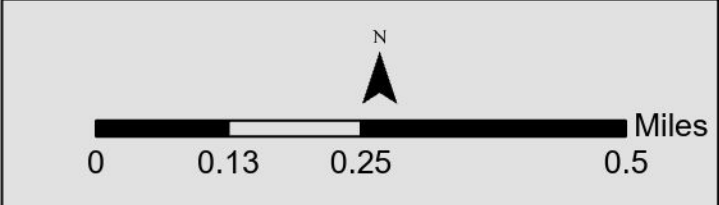




2213

**(CU 2395) Breeze-a-Bella
CU Vicinity (1 Mile) Map
TM# 135-20.00-81.00**

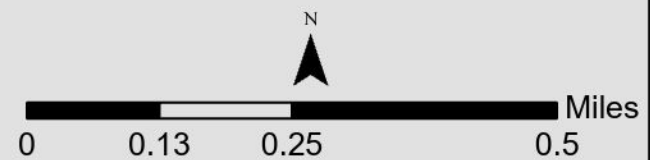
 CU 2395 - Breeze-A-Bella	 CU 2395 - CUs Vicinity (1-Mile)
	CU 2395 - 1 Mile Radius





VITA, Esri, HERE, Garmin, IPC, Mapbox


**(CU 2395) Breeze-a-Bella
CU Vicinity (1 Mile) Map
TM# 135-20.00-81.00**

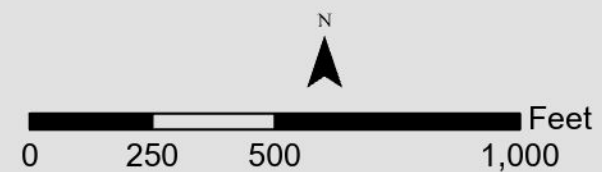




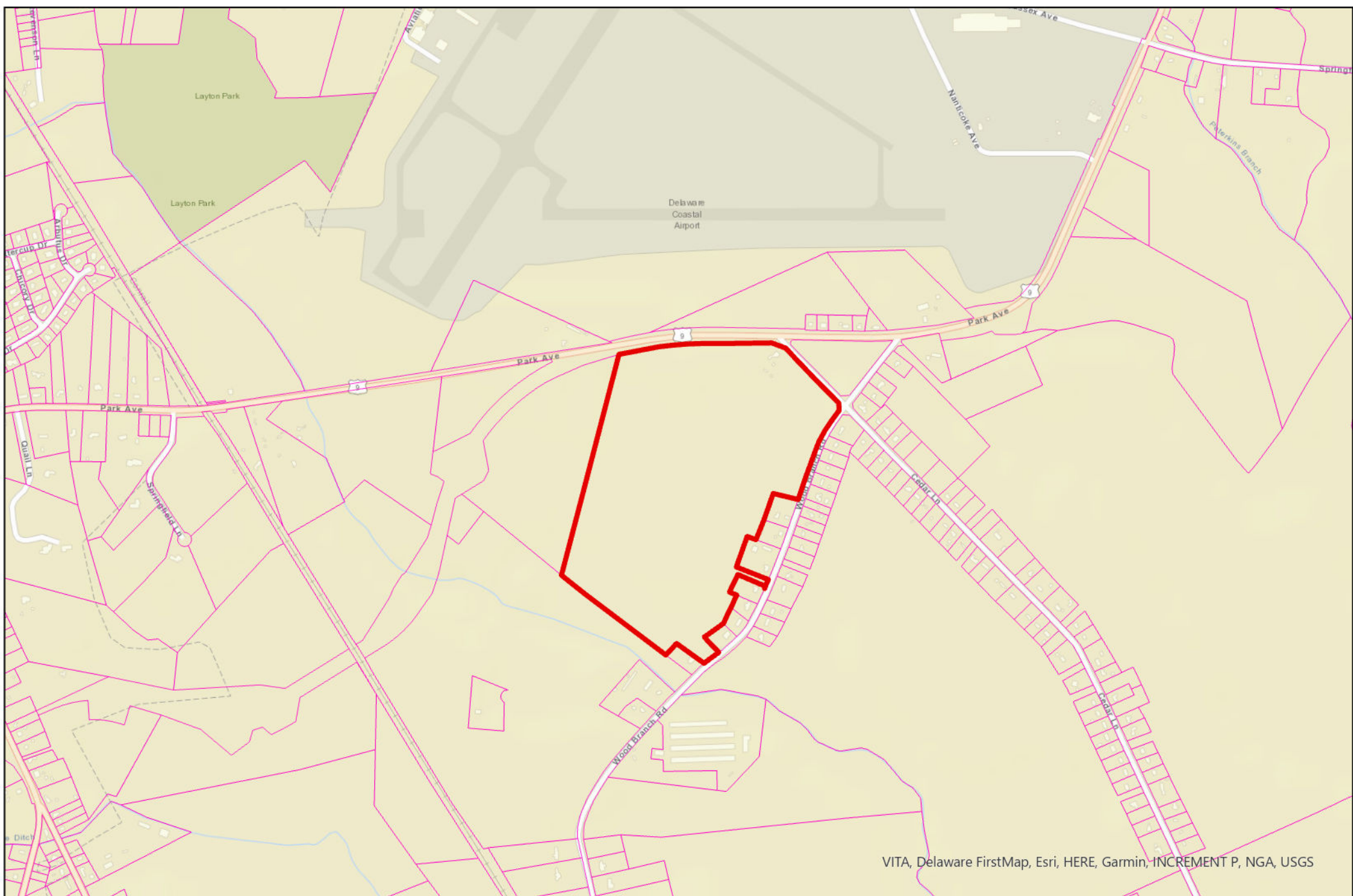
Maxar, Microsoft, VITA, Esri, HERE, Garmin, IPC

(CU 2395) Breeze-a-Bella
Aerial Map
TM#s 135-20.00-81.00


 CU 2395 - Breeze-A-Bella





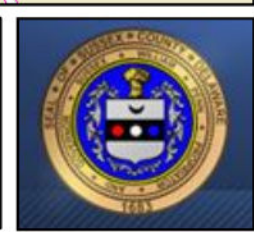


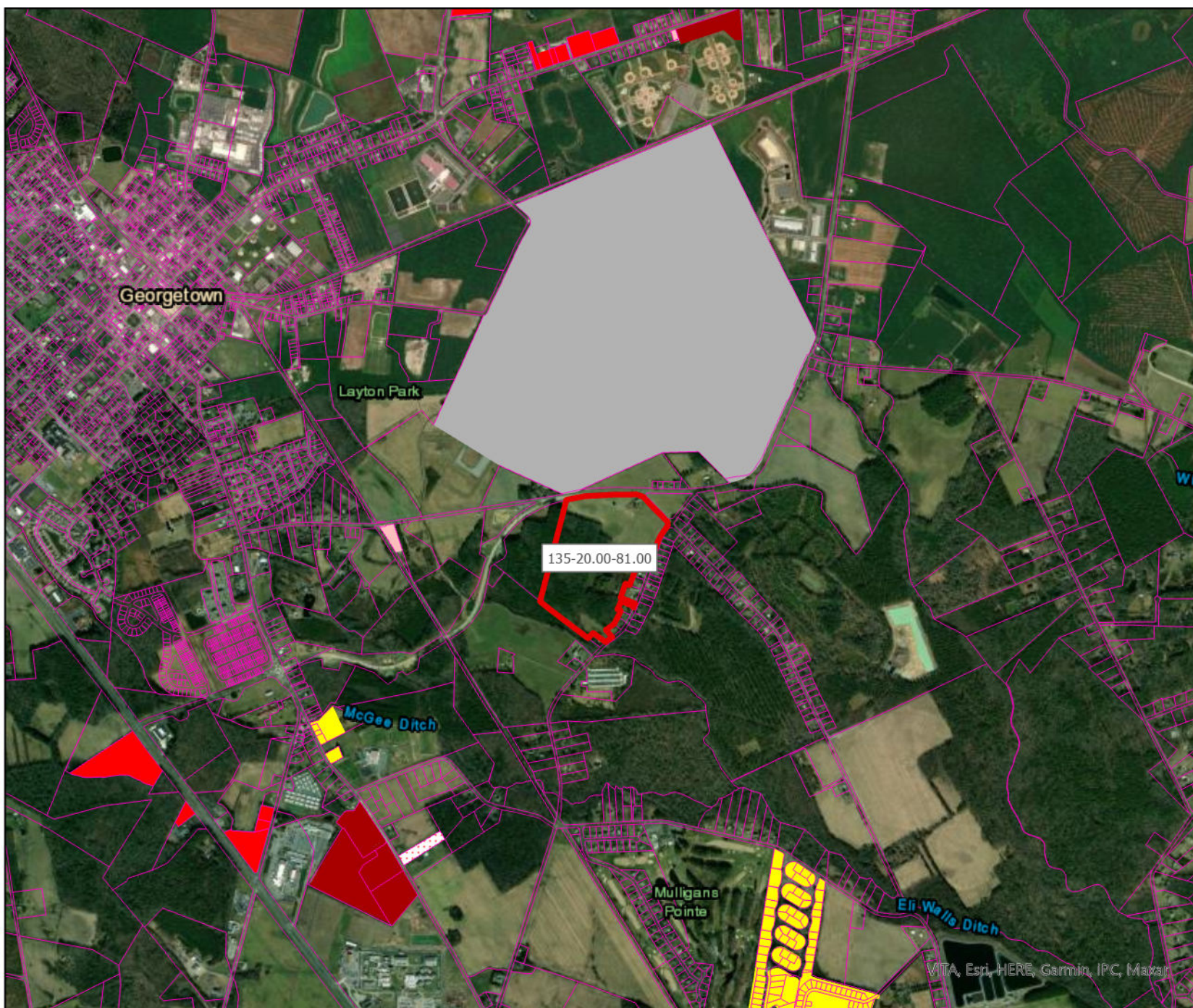
**(CU 2395) Breeze-a-Bella
Streets Map
TM#s 135-20.00-81.00**

 CU 2395 - Breeze-A-Bella

N

0 0.13 0.25 0.5 Miles





Zoning

-  Agricultural Residential - AR-1
-  Agricultural Residential - AR-2
-  Medium Residential - MR
-  General Residential - GR
-  High Density Residential - HR-1
-  High Density Residential - HR-2
-  Vacation, Retire, Resident - VRP
-  Commercial Residential - CR-1
-  Institutional - I-1
-  Marine - M
-  Limited Industrial - LI-1
-  Light Industrial - LI-2
-  Heavy Industrial - HI-1
-  C1: General Commercial
-  C2: Medium Commercial
-  C3: Heavy Commercial
-  C4: Planned Commercial
-  C5: Service/Limited Manufacturing
-  B-1: Neighborhood Business
-  B-2: Business Community District
- B-3: Business Research

**(CU 2395) Breeze-a-Bella
Zoning Map
TM#s 135-20.00-81.00**



CU 2395 - Breeze-A-Bella

N



0 0.25 0.5 1 Miles



Reintroduced: 4/29/25

**Council District 5: Mr. Rieley
Tax I.D. No.: 135-20.00-81.00 (p/o)
911 Address: 22318 Cedar Lane, Georgetown**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A DISTRIBUTION WAREHOUSE TO BE LOCATED ON A 10.896 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 71.127 ACRES, MORE OR LESS

WHEREAS, on the 30th day of August 2022, a conditional use application, denominated Conditional Use No. 2395 was filed on behalf of Breeze-A-Bella Land Group, LLC; and

WHEREAS, on the ____ day of _____ 2025, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2395 be _____; and

WHEREAS, on the ____ day of _____ 2025, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional 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, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2395 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Georgetown Hundred, Sussex County, Delaware, and lying on the south side of Park Avenue (S.C.R. 318) at the intersection of Park Avenue (S.C.R. 318) and Cedar Lane (S.C.R. 321A) and being more particularly described in the attached legal description prepared by Atwell, LLC, said portion of the parcel containing 10.896 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.



Memorandum

To: Sussex County Council
The Honorable Douglas B. Hudson
The Honorable Jane Gruenebaum
The Honorable Matt Lloyd
The Honorable Steve McCarron
The Honorable John L. Rieley

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: August 8, 2025

RE: County Council Report for C/U 2537 filed on behalf of Ryan Brower

The Planning and Zoning Department received an application (C/U 2537 filed on behalf of Ryan Brower) for a general trade contracting business with office and storage, in an AR-1 Agricultural Residential Zoning District, located at 18113 Prettyman Road, Milton. The parcel size is 1.73 acres. +/-

The Planning & Zoning Commission held a Public Hearing on the application on July 2, 2025. At the meeting of July 23, 2025, the Planning & Zoning Commission recommended approval of the application for the 7 reasons stated and subject to the 10 recommended conditions as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meeting on July 2, 2025, and July 23, 2025.

Minutes of the July 2, 2025, Planning & Zoning Commission Meeting

C/U 2537 Ryan Brower

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL TRADE CONTRACTING BUSINESS WITH OFFICE AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.73 ACRES, MORE OR LESS. The property is lying the southeast side of Pettyjohn Road (S.C.R. 255), approximately 0.65 mile northeast of Prettyman Road (S.C.R. 254). 911 Address: 18113 Prettyman Road, Milton. Tax Map Parcel: 235-25.00-45.00.



Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Exhibit Book, the Preliminary Site Plan, the DelDOT Service Level Evaluation Response letter, a letter from the Sussex County Engineering Department Utility Planning Division, the Staff Analysis report, the property deed and property legal description. Mr. Whitehouse advised the Commission that zero comments had been submitted for the application.

Mr. Whitehouse advised the Commission that the application was submitted as a result of a violation through the Constable's Department; that a complaint was filed of a business operating without approval which resulted in an inspection that took place in January 2024; that a Notice of Violation was issued; that the Applicant responded to the notice, and appointed their engineer, which resulted in the submitted application.

The Commission found that Mr. Mark Davidson, with Pennoni, spoke on behalf of the Applicant, Mr. Ryan Brower, who was also present. Mr. Davidson stated that there was a Notice of Violation issued for the property; that the Applicant immediately filed the Conditional Use application; that the property is located within the AR-1 (Agricultural Residential) Zoning District; that the application is requesting approval to operate a general trade contracting business with an office and storage; that the parcel is located on the east side of Pettyjohn Road, approximately 1.2 miles south of Harbeson Road, and approximately one mile north of Rt. 30; that the property contains 1.73 acres; that the Applicant and his wife have owned the property since 2017, however the home on the property has been in their family since the 1900s; that it is the original T. Walker Family Farm dwelling; that the dwelling is registered in the Bureau of Archaeology and Historic Preservation; that within the submitted exhibits was information provided by the Historic Preservation Office regarding the existing house; that the dwelling is for their family; that their business is located immediately behind the existing house; the property is currently improved with the existing dwelling, two outbuildings, driveways, parking areas, trash containment, landscaping, domestic well and septic system; that the site is bordered on the north, east and south by existing agriculture lands owned by the Tyndall, who are family members of the Browsers; that the Browsers are related to the majority of the residents along Pettyjohn Road; that the site is located directly across the street from a recently approved Conditional Use No. 2496 for Mr. and Mrs. Wade Hudson; that the site is located within a one mile radius of several other Conditional Uses; that according to the 2045 Future Land Use Map of the Sussex County Comprehensive Plan, the property is identified as being within the Low Density area, which is a rural area; that the proposed use is consistent with the guidelines of the Low Density area, as it provides a place to be primarily for personal service uses, proposing to be developed to serve the needs of a relatively small area, for primarily low density and medium density areas; that according to the 2020 Delaware Strategies for State Policies, the site is located within a Level 4 area; that the proposed use would provide services for developments located within Investment Levels 1, 2, and 3, being nearby areas located within Milton; that the application is subject to the provisions of Articles 4 through 24 and Section 115-22 of the Sussex County Zoning Code; that Mr. and Mrs. Brower have been in business for over 10 years, offering high quality heating and air conditioning services to Sussex and Kent County areas; that they have 10 employees, and are looking to add an additional five employees to their team; that the Site Plan reflects two accesses; that there is a private access that is paved with a driveway that leads to their residence and garage; that on the opposite side, there is an old farm easement that was deeded to the farmlands to allow access for the tractors; that Mr. Brower had designated the area as an access for the rear of the site; that the easement is made of crushed concrete; that the pole building for the business has been placed as far to the rear of the property that it could possibly be placed; that in that location, there are some existing parking spaces for employees; that he does have two office employees, who answer phones and take business orders; that there is an existing trash containment

area which contain two dumpsters; that one dumpster is designated for the larger boxes that the air conditioning and heating systems arrive in, along with a smaller dumpster; that the dumpster area is proposed to be fenced, to provide screening to adjacent properties; that heating and air conditioning sale services and repair businesses are generally of a public or semi-public character, being essential and desirable for the general convenience of and welfare; that because of the nature of the use, the importance of its relationship to the Comprehensive Plan, and the possible impact on neighboring properties, it requires the exercise of the planning, judgement on the location and Site Plan; that everything on the Site Plan is existing, that nothing is being proposed; that the proposed use will not alter the character of the surrounding area, in any manner that substantial limits impairs or precludes the use of surrounding properties; that the property will have access from Prettyman Road; that there are no wetlands located on the property; that there are no endangered species on the property; that central water and sewer will be available in the future for the property; that Mr. Brower currently has an existing private well and septic system, which he will continue to use; that the property is not located within any Excellent Groundwater Recharge Areas; that the site is not located within a floodplain; that the site is located within the Milton Fire Department Service Area; that an Exhibit Book was submitted into the record, with proposed Conditions of Approval, which state that the use shall be limited to the general trade contracting business with an office and storage; that all business and storage will be located within the existing one-story building in the back; that there will be no outside storage of equipment or materials, to prevent pollution and environmental harm; that all used HVAC condensers and equipment, as well as the removing and recycling of air conditioning units will follow all Delaware State laws to ensure proper freon removal and responsible disposal of the unit components; that Mr. Brower has an existing sign, being less than 32 square feet in size; that he requested approval for one un-lit sign, two faced sign being 32 square feet on both sides be approved; that the hours of operation are proposed to be Monday through Friday from 7:30 am until 5:00 pm, and Saturdays from 8:00 am until 12:00 pm; that there will be no operations on Sundays; that all security lighting will be downward screened; that the site is surrounded by family lands, with no proposed development in the future, as the family does not intend to develop the farms; that in the event the adjacent property would be developed, the Applicant would be willing to place a fence or landscaping to minimize impacts on neighbors; that there are woodlands located on the adjacent parcel to the rear of the property; that Mr. Brower hunts, and would request that he be permitted to keep the view of the farmland and woodlands behind him, and that this would allow him and his family would still be able to walk the land and the woods.

Chairman Wheatley stated in relation to the proposed fencing for future development, that if Mr. Brower's use existing first, the screening should be on the future development not the Applicant and he questioned how Sussex County staff would enforce that condition.

Mr. Mears questioned whether any HVAC equipment was stored outside while waiting to be recycled; that he stated that he had heard multiple positive comments regarding Top Flight Heating & Air on the radio and he stated that Mr. Brower has an excellent reputation.

Mr. Davidson stated that no equipment or material would be stored outside.

The Commission found that there was no one present who wished to speak in support of, or in opposition to, the Application.

Upon there being no further questions, Chairman Wheatley closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to C/U 2537 Ryan Brower. Motion by Mr. Collins to defer action for further consideration, seconded by Ms. Wingate and carried unanimously. Motion carried 4-0.

Minutes of the July 23, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since July 2, 2025.

Mr. Robertson read Mr. Butler's motion into the record at Mr. Butler's request.

Mr. Butler moved that the Commission recommend approval of C/U 2537 Ryan Brower for a general trade contracting business with an office and storage on land zoned AR-1 based on the record made during the public hearing and for the following reasons:

1. The applicant operates an HVAC repair business from the site. His business has expanded to the point where a conditional use is now required.
2. The Applicant's family owns the farmland that surrounds the site, and the Applicant and his family reside in the farmhouse on the property.
3. The use will occur within the existing outbuildings on the property.
4. The business use is located at the rear of the Applicant's property, where it will have the least impact on any neighboring properties.
5. DelDOT has stated that the traffic generated by the proposed use will be diminutive and will not have a negative impact on the neighboring roadways.
6. The use as an HVAC sales, service and repair business is of a public or semi-public character that is desirable for the general convenience and welfare of the area and the County.
7. No parties appeared in opposition to the application.
8. This recommendation is subject to the following conditions:
 - A. The property shall be used for a general trade contracting business with an office and storage in addition to the Applicant's residence.
 - B. The use will occur within the existing outbuildings on the site.
 - C. The site shall not be permitted to become a junkyard that requires separate zoning and other approvals. Any used HVAC equipment shall be kept within a fenced and screened area, and none of it shall be permanently stored. The Applicant shall only store HVAC equipment it obtains as part of its repair and installation business.
 - D. One indirectly lighted sign shall be permitted. It shall not be larger than 32 square feet per side.
 - E. The hours of operation shall be between 7:30 am and 5:00 pm, Monday through Friday, and on Saturdays between 8:00 am and 12:00 pm on Saturdays. No Sunday hours shall be permitted.
 - F. Any outdoor lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.

- G. Any dumpsters on the site shall be screened from the view of neighboring properties and roadways. The dumpster location shall be shown on the Final Site Plan.
- H. The Applicant shall comply with any DelDOT requirements for entrance and roadway improvements.
- I. Any violation of these conditions of approval may result in the termination of this Conditional Use.
- J. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Butler, seconded by Mr. Collins, and carried unanimously to recommend approval of C/U 2537 Ryan Brower for the reasons and conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Ms. Wingate – yea, Mr. Mears – yea, Mr. Collins – yea, Mr. Butler – yea, Chairman Wheatley – yea

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
BRIAN BUTLER
GREGORY SCOTT COLLINS
J. BRUCE MEARS
HOLLY WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878 T
(302) 854-5079 F

JAMIE WHITEHOUSE
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: July 2nd, 2025

Application: C/U 2537 Ryan Brower

Applicant: Ryan Brower
18113 Pettyjohn Road
Milton, Delaware 19968

Owner: Ryan Brower
18113 Pettyjohn Road
Milton, Delaware 19968

Site Location: The property is lying the southeast side of Pettyjohn Road (S.C.R. 255), approximately 0.65 mile northeast of Prettyman Road (S.C.R. 254). 911 Address: 18113 Prettyman Road, Milton.

Current Zoning: AR-1 (Agricultural Residential)

Proposed Use: General trade contracting business with office & storage

Comprehensive Land Use Plan Reference: Low Density

Councilmanic District: Mr. McCarron

School District: Cape Henlopen

Fire District: Milton Fire Company

Sewer: N/A

Water: N/A

Site Area: 1.73 acre +/-

Tax Map ID.: 235-25.00-45.00



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountye.gov



Sussex County

DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Michael Lowrey, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: June 11th, 2025
RE: Staff Analysis for C/U 2537 Ryan Brower

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application for C/U 2537 Ryan Brower to be reviewed at the July 2nd, 2025, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following staff analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 235-25.00-45.00

Proposal: The request is for a Conditional Use for Tax Parcel #235-25.00-45.00, to allow for a “General trade contracting business with office & storage” to be located on a Parcel located on the east side of Pettyjohn Road (S.C.R. 255) approximately (0.6) miles east of the intersection with Prettyman Road (S.C.R. 254). The Parcel is comprised of a total of 1.73 acres +/-.

Zoning: The subject property is zoned Agricultural Residential (AR-1) District. All adjacent parcels in the immediate vicinity to the Parcel are zoned Agricultural Residential (AR-1) District.

Future Land Use Map Designation w/in Comprehensive Plan: Low Density Area

Applicability to Comprehensive Plan: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property is designated as a Rural Area and has a land use designation of “Low Density Area.” All adjacent parcels as well as those in the immediate vicinity to the Parcel are also categorized as of “Low Density Area.”

As outlined in the 2018 Sussex County Comprehensive Plan, Low Density Areas are areas “Sussex County hopes to retain the rural environment and set aside significant open space” and where the County “supports State and local land use policies that will preserve the value of farmland” (Sussex County Comprehensive Plan, 4-18). Additionally, the Comprehensive Plan notes landscaped buffer requirements as a policy to be emphasized in Low Density areas when new development occurs in order to “separate new development from the surrounding countryside” (Sussex County



Comprehensive Plan, 4-18). The Plan also notes that “business development should largely be confined to businesses addressing the needs” of “agricultural activities and homes” and additionally recommending that commercial uses “should be limited in their location, size and hours of operation” (Sussex County Comprehensive Plan, 4-19).

Further Site Considerations:

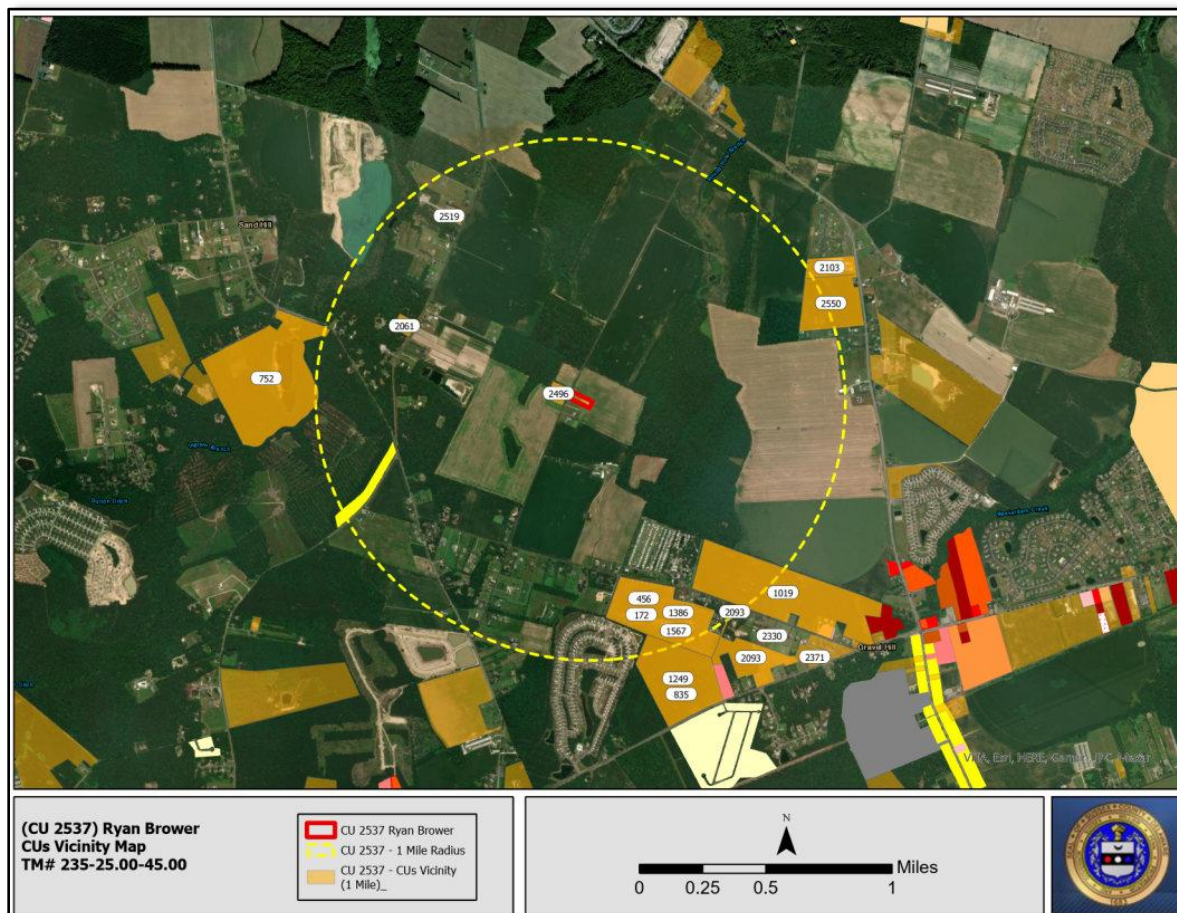
- **Density: N/A**
- **Open Space Provisions: N/A**
- **Agricultural Areas:** The site is within the vicinity of active agricultural lands.
- **Interconnectivity: N/A**
- **Transportation Improvement District (TID): N/A**
- **Forested Areas: N/A**
- **Wetlands Buffers/Waterways: N/A**
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The property is located within Flood Zones “X” and Staff note there are no Wellhead Protection Areas on the site. The Parcel is classified as within areas of “Good”, in terms of Groundwater Recharge Potential on the site per data from the State of Delaware.

Based on the analysis provided, the Conditional Use to allow for a “general trade contracting business with office & storage”, could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

Existing Conditional Uses within the Vicinity of the Subject Site: Staff have identified a history of seventeen (17) Conditional Use applications within a one (1) mile radius of the application site. A Data Table and Supplemental Map have been supplied to provide additional background regarding the approval status of Applications in the area to include the location of all current or previous Conditional Use Applications that are less than 1 mile distance from the subject site.

Conditional Use Applications (Within a 1-mile radius of the subject site)						
CU Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ord. Number
172	William Prettyman	AR-1	Campground for tents & mobile campers	Approved	11/6/1973	N/A
456	Homestead Camp Inc	AR-1	Extension to Existing Campground	Approved	2/28/1978	N/A
752	T. Harold Palmer, Jr. , Carole M	AR-1	Borrow pit	Approved	9/13/1983	N/A
835	J. Lloyd Lingo Jr.	AR-1	Borrow pit	Denied	12/30/1985	N/A
1019	Earl & Lillian Holder	AR-1	Small engine repair	Approved	11/10/1992	864
1249	Peter A. Economos	AR-1	Used car sales	Approved	6/30/1998	1246
1386	William Prettyman & Homestead Camping	AR-1	Expand existing campground	Approved	5/1/2001	1453
1567	Wm. Prettyman Jr.	AR-1	Addition to existing campground	Approved	11/30/2004	1733
2061	Kenneth A. Hughes	AR-1	Auto repair shop	Withdrawn	10/18/2016	N/A
2093	John Huss; DA Huss Inc. (Executive Lawns)	AR-1	Landscape business and equipment storage	Approved	9/26/2017	2521
2093	John Huss; DA Huss Inc. (Executive Lawns)	AR-1	Landscape business and equipment storage	Approved	9/26/2017	2521
2103	S. Delaware Therapeutic & Recreational	AR-1	Recreation Facility, office, Caretaker house, equine-	Approved	11/7/2017	2532

	Horseback Riding, Inc.		assisted therapy & stables			
2330	Georgetown Business Plaza, LLC	AR-1	Business plaza	Withdrawn	N/A	N/A
2371	Davis, Bowen & Friedel, Inc.	AR-1	Business plaza to include warehouses and office buildings.	Approved	3/28/2023	2916
2496	Wade R. Hudson, Sr. & Jacqueline L. Hudson, TTEES	AR-1	Lawn mower, yard, garden equipment & medium engine repair services	N/A	N/A	N/A
2519	Savini Companies	AR-1	Professional Services & Storage for General Contracting	N/A	N/A	N/A
2550	Milton DE Solar CSS, LLC	AR-1	Solar facility	N/A	N/A	N/A

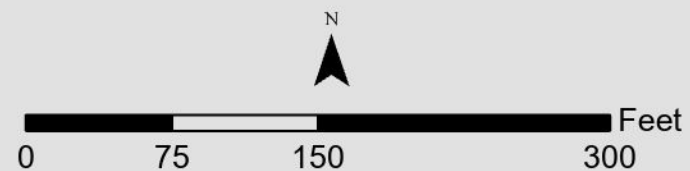


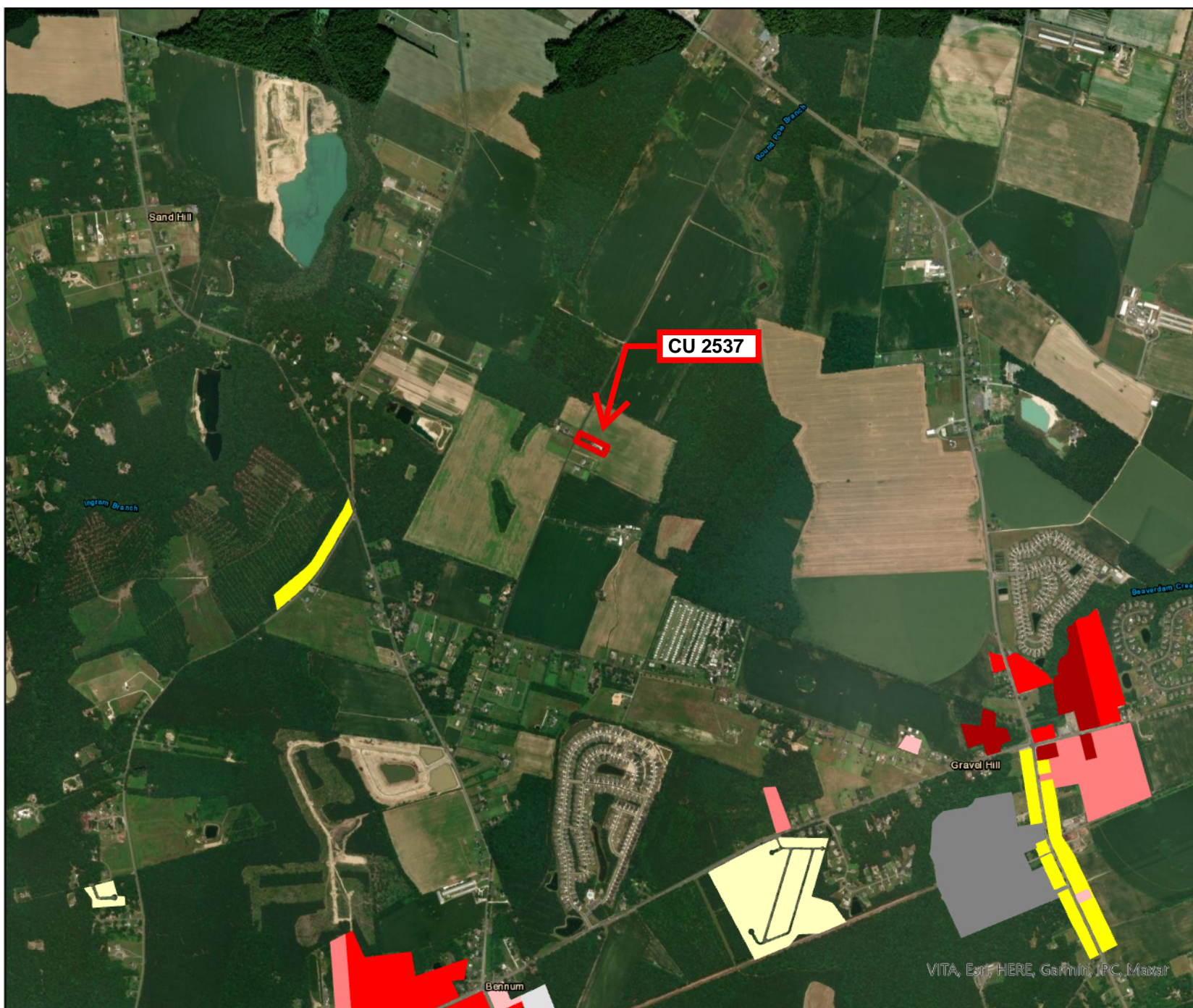


State of Delaware, Maxar, Microsoft, VITA, Esri, HERE, Garmin, IPC

(CU 2537) Ryan Brower
Aerial Map
TM# 235-25.00-45.00

 CU 2537 Ryan Brower




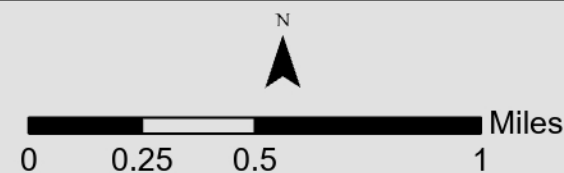


Zoning

-  Agricultural Residential - AR-1
-  Agricultural Residential - AR-2
-  Medium Residential - MR
-  General Residential - GR
-  High Density Residential - HR-1
-  High Density Residential - HR-2
-  Vacation, Retire, Resident - VRP
-  Commercial Residential - CR-1
-  Institutional - I-1
-  Marine - M
-  Limited Industrial - LI-1
-  Light Industrial - LI-2
-  Heavy Industrial - HI-1
-  C1: General Commercial
-  C2: Medium Commercial
-  C3: Heavy Commercial
-  C4: Planned Commercial
-  C5: Service/Limited Manufacturing
-  B-1: Neighborhood Business
-  B-2: Business Community District
- B-3: Business Research

(CU 2537) Ryan Brower
Zoning Map
TM# 235-25.00-45.00

 CU 2537 Ryan Brower



Introduced: 6/3/25

**Council District 2: Mr. McCarron
Tax I.D. No.: 235-25.00-45.00
911 Address: 18113 Prettyman Road, Milton**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR GENERAL TRADE CONTRACTING BUSINESS WITH OFFICE AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.73 ACRES, MORE OR LESS

WHEREAS, on the 25th day of June 2024, a Conditional Use application, denominated Conditional Use No. 2537 was filed on behalf of Ryan Brower; and

WHEREAS, on the ____ day of _____ 2025, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County, and said Planning and Zoning Commission recommended that Conditional Use No. 2537 be _____; and

WHEREAS, on the ____ day of _____ 2025, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional 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, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2537 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying the southeast side of Pettyjohn Road (S.C.R. 255), approximately 0.65 mile northeast of Prettyman Road (S.C.R. 254), and being more particularly described in the attached legal description prepared by Sergovic, Carmean & Weidman, McCartney & Owens, P.A. said parcel containing 1.73 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.



Memorandum

To: Sussex County Council
The Honorable Douglas B. Hudson
The Honorable Jane Gruenebaum
The Honorable Matt Lloyd
The Honorable Steve McCarron
The Honorable John L. Rieley

From: Jamie Whitehouse, AICP, Director of Planning & Zoning

CC: Everett Moore, County Attorney

Date: August 8, 2025

RE: County Council Report for C/U 2511 filed on behalf of Paulina Owedyk

The Planning and Zoning Department received an application (C/U 2511 filed on behalf of Paulina Owedyk) for a general contractor and construction business with an office, showroom, and storage including vehicles, in an AR-1 Agricultural Residential Zoning District at Tax Parcel 335-12.06-56.00. The property is located at 33847 Clay Road, Lewes. The parcel size is 0.46 acres. +/-

The Planning & Zoning Commission held a Public Hearing on the application on July 2, 2025. At the meeting of July 23, 2025, the Planning & Zoning Commission recommended approval of the application for the 9 reasons stated and subject to the 13 recommended conditions as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meeting on July 2, 2025, and July 23, 2025.

Minutes of the July 2, 2025, Planning & Zoning Commission Meeting

C/U 2511 Paulina Owedyk

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL CONTRACTOR AND CONSTRUCTION BUSINESS WITH AN OFFICE, SHOWROOM, AND STORAGE INCLUDING VEHICLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.46 ACRE, MORE OR LESS. The property is lying the north side of Clay Road (S.C.R. 269), approximately 0.43 mile west of Kings Highway (Rt. 9). 911 Address: 33847 Clay Road, Lewes. Tax Map Parcel: 335-12.06-56.00.



Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Exhibit Book and presentation slides, a property survey, the DelDOT Service Level Evaluation Response letter, a letter from the Sussex County Engineering Department Utility Planning Division, the Staff Analysis, and the property deed. Mr. Whitehouse advised the Commission that zero public comments had been received for the Application.

The Commission found that Mr. David Hutt, Esq., with Morris James LLP, spoke on behalf of the Applicant, Ms. Paulina Owedyk, who was also present with her husband, Mr. Marek Pachut. Mr. Hutt stated that the application seeks to allow the operation of a general contractor and construction business with a pole building used for a garage and storage area, and office, a showroom, and vehicle storage; that the property is located across the street from Poores Propane and Clean Delaware; that the Applicant purchased the property in 2021, where she immediately began making improvements to the property; that she cleaned up the property, renovated the residential home, constructed a pole building located behind the residential home, and various other improvements; that there is a parking area and fencing located on the site; that the site is located within Level 1 according to the State Strategies Map, being an area where the State investments and policies support and encourage a wide range of uses; that the site is located within the County's Coastal Area, according to the Future Land Use Map, and as are the properties immediately adjacent to the site; that in the direction of Wescoats Corner, there are C-1 (General Commercial) zoned properties, which are located within Commercial Areas of the Future Land Use Map; that the zoning classification of the subject property is AR-1 (Agricultural Residential), as are the properties located immediately adjacent to the site; that to the left of the site, being about three properties down, there is a property located along Clay Road that is zoned B-1 (Neighborhood Business); that this property is the location of Progar & Company., P.A., a professional accounting office, as well as payroll professionals; that as one travels down Clay Road, towards Wescoats Corner, there are a host of C-1 (General Commercial) zoned properties; that in addition to those businesses and commercial uses, Sussex County staff identified 38 Conditional Use applications within a one mile radius of the site since 2011; that 31 of the applications were reported as approved; that there were two Conditional Uses not included within the 38, as their approvals predated 2011; that the location where Clean Delaware is located was approved as Conditional Use No. 278 on July 1, 1975, for an office and storage building; that in 2001, Conditional Use No. 1426 was adopted by County Council as Ordinance No. 1509 to add bulk propane storage to the same location; that there are two additional Conditional Uses along Clay Road, that were referenced by staff, being Conditional Use No. 2069, adopted by Ordinance 2494 in April 2017; that this Conditional Use was approved for a workout, exercise or yoga studio, located about three properties down from the site; that there currently is a hair artistry business in that location via Conditional Use No. 2132, adopted by Ordinance No. 2590 in July 2018; that there are no wetlands located on the property; that there is a rear portion of the property located within a Wellhead Protection Area, and therefore subject to Chapter 89; that per the FEMA Flood Maps, the property is located within Flood Zone X, being outside of the 500 year floodplain; that water is provided through an on-site well; that the Sussex County Engineering Department evaluated the application, and identified the property as being within a Tier 1 sewer district, currently being served by Sussex County Unified Sanitary Sewer District; that DelDOT responded with a Service Level Evaluation Response, indicating that the traffic impact would be diminutive, being less than 50 vehicle trips per day; that presently, there are no employees of Basement Unlimited, other than the Applicant; that the business uses subcontractors as part of their general contracting business; that occasionally, the subcontractors will visit the site to pick up or drop off things at the site; that the business takes place in the building located behind the residential building on the site; that there is large garage door and one single access door on the right of the building, and two access doors located on the left of the building, leading to the proposed office area;

that there is a vinyl fence surrounding the property, which separates the residential portion from the remainder of the site; that the fencing extends down both side line boundaries, and across the rear boundary line; that the fencing separates the use from the adjacent properties; that the same fencing provides screening for the dumpster area; that there are designated parking spots; that the proposed use is of public character by providing services to the area, similar to the other commercial Conditional Uses in the area; that within the project book materials, there were six letters of support provided; that the three neighbors immediately to the right, and the two neighbors immediately to the left of the property have signed letters of support; that Progar & Company., P.A., provided a letter of support, as well as another neighbor located further down Clay Road; that all of these letters came from properties located within close proximity to the site, who appreciated the improvements that were performed on the property by the Applicant; that he requested to submit into the record, proposed Findings of Fact and proposed Conditions of Approval; that proposed Condition B it stated there will be no outside storage; that the site is very clean and tidy in appearance; that proposed Condition C stated that all parking areas will be shown on the Final Site Plan and designated on the site; that proposed Condition D stated that the fence would be maintained through the duration of the of the Conditional Use, and would be shown on the Final Site Plan; that proposed Condition E stated the hours of operation would be Monday through Friday from 6:00 AM until 6:00 PM, and Saturdays from 7:00 AM until 3:00 PM; that it is unlikely that those time periods would be fully occupied; that the Applicant wanted to make sure there was enough shoulder room to avoid being in violation; that no Sunday hours are proposed; that proposed Condition H requested approval for two signs, with one sign being a 32 sq. ft. indirectly illuminated on premise sign, which is fairly typical for conditional use approvals by the Commission; that the second sign request was for a on-premise wall sign, located on the pole building, which was proposed not to exceed 150 sq. ft.; that a maximum of 150 sq. ft. sign requirement was derived from the Sign Code for the B-1, B-2 and B-3 zoning areas, which is the same zoning as the property located two parcel down from the site; that the remainder of the proposed conditions are standard to what the Commission would generally see with applications similar to what was proposed, and based on the Comprehensive Plan, the Zoning Code, the nature and character of the area, including the mentioned support letters from immediate neighbors, the Applicant requested that the Commission recommend approval of the application with the proffered conditions.

Mr. Collins questioned whether there had been any complaints filed with the County regarding the property.

Mr. Whitehouse stated that Sussex County had visited the site in 2022 in relation to building without a building permit, but to his knowledge there have been no specific complaints filed, and no Notice of Violation had been issued.

Mr. Hutt stated that all current structures on the site have now been permitted.

Ms. Wingate questioned if the sign approvals were for existing signs or additional signs.

Mr. Robertson questioned if the sign located on the building was proposed to be lighted.

Mr. Hutt stated that the existing sign does not have a sign permit; that the Conditional Use must be granted with conditions to allow a sign before a sign permit is permitted to be issued, and that the sign on the building is not proposed to be lit.

The Commission found that there was no one present who wished to speak in support of or in opposition to the Application.

Upon there being no further questions, Chairman Wheatley closed the public hearing.

At the conclusion of the public hearing, the Commission discussed the Application.

In relation to C/U 2511 Paulina Owedyk. Motion by Mr. Collins to defer action for further consideration, seconded by Ms. Wingate and carried unanimously. Motion carried 4-0.

Minutes of the July 23, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since July 2, 2025.

Mr. Collins moved that the Commission recommend approval of C/U 2511 Paulina Owedyk an AR-1 District for a general contractor and construction business with an office and storage, based upon the record made during the public hearing and for the following reasons:

1. The use is situated upon a property along Clay Road. The office use will occur within an existing former residence, and the storage will occur within an existing pole building on the property. With the conditions and stipulations of approval, the use will not have a negative impact on the neighboring properties.
2. There are other commercial and business uses in this area. On Clay Road, there is a property that is zoned B-1 with an accounting office, and there are other conditional uses including offices, storage, a bulk storage propane facility, a yoga and exercise facility, and a hair studio. This site is also near Westcoats Corner and the variety of business and commercial uses that exist near that intersection. This conditional use is appropriate for this location along Clay Road.
3. No retail sales will occur from the property.
4. Most of the work is offsite, so there is not a lot of activity that occurs on this site during the day.
5. DelDOT has stated that the use will have a “Diminutive” impact upon traffic and area roadways. The use will not have an adverse impact on the traffic or area roadways.
6. This area of Sussex County has a need for small, general contracting businesses such as this one. This is an appropriate, convenient location for such a use.
7. A portion of the property is located within a Wellhead Protection Area and will comply with the requirements of Chapter 89 of the Sussex County Code.
8. The site is served by an on-site well and central sewer provided by Sussex County.
9. The record contains six (6) letters in support of the Application from neighboring property owners. No parties appeared in opposition to this application.
10. This recommendation is subject to the following conditions:
 - A. The use shall be limited to a general contractor business with an office and storage associated with that use.
 - B. There shall not be any outside storage of construction materials on the site.
 - C. No retail sales shall occur from the site.
 - D. All lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.

- E. Any dumpsters on the site must be screened from the view of neighboring properties and roadways.
- F. The existing fence surrounding the site shall be depicted on the Final Site Plan and it shall be maintained at all times.
- G. The applicant shall comply with all DelDOT requirements for entrance and roadway improvements.
- H. The hours of operation shall be Monday through Friday from 6:00 a.m. until 6:00 p.m. and from 7:00 am until 3:00 pm on Saturdays. No Sunday hours shall be permitted.
- I. One lighted sign shall be permitted on the site along Clay Road. It shall be no larger than 32 square feet per side. One on-premises wall sign shall be permitted on the pole building. It shall not be larger than 150 square feet in size.
- J. All vehicle parking areas shall be clearly shown on the Final Site Plan and clearly marked on the site itself. All vehicles must only be parked within the designated areas.
- K. No junked, inoperable, or untitled vehicles or equipment shall be located on the site.
- L. Failure to comply with any of these conditions shall be grounds for the termination of the Conditional Use approval.
- M. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Collins, seconded by Ms. Wingate, and carried unanimously to recommend approval of C/U 2511 Paulina Owedyk for the reasons and conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Ms. Wingate – yea, Mr. Mears – yea, Mr. Collins – yea, Mr. Butler – yea, Chairman Wheatley – yea

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
BRIAN BUTLER
GREGORY SCOTT COLLINS
J. BRUCE MEARS
HOLLY WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7878 T
(302) 854-5079 F

JAMIE WHITEHOUSE
DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: July 2nd, 2025

Application: C/U 2511 Paulina Owedyk

Applicant: Paulina Owedyk
17667 Gate Drive #3
Lewes, Delaware 19958

Owner: Paulina Owedyk & Marek M. Pachut
17667 Gate Drive #3
Lewes, Delaware 19958

Site Location: The property is lying the north side of Clay Road (S.C.R. 269), approximately 0.43 mile west of Kings Highway (Rt. 9). 911 Address: 33847 Clay Road, Lewes.

Current Zoning: AR-1 (Agricultural Residential)

Proposed Use: General contractor and construction business with an office, showroom, and storage including vehicles

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Ms. Jane Gruenebaum

School District: Cape Henlopen

Fire District: Lewes Fire Department

Sewer: Sussex County

Water: Private on-site well

Site Area: 0.46 acre +/-

Tax Map ID.: 335-12.06-56.00



JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR
(302) 855-7878 T
(302) 854-5079 F
jamie.whitehouse@sussexcountye.gov



Sussex County

DELAWARE
sussexcountye.gov

Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Mr. Michael Lowrey, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: June 13th, 2025
RE: Staff Analysis for CU 2511 Paulina Owedyk

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application for CU 2511 Paulina Owedyk to be reviewed at the July 2nd, 2025, Planning and Zoning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

Please note that the following staff analysis is for informational purposes only and does not prejudice any decision that the Sussex County Planning & Zoning Commission or Sussex County Council may wish to make as part of any Application submitted to the Department.

Tax Parcel ID: 335-12.06-56.00

Proposal: The request is for Conditional Use for Tax Parcel #335-12.06-56.00, to allow for a “General contractor and construction business with an office, showroom, and storage including vehicles” to be located on a Parcel lying on the north side of Clay Road S.C.R. 269), approximately (0.43) miles west of Kings Highway (Route 9). The Parcel is comprised of a total of (0.46) acres.

Zoning: The subject property is zoned Agricultural Residential (AR-1) District. All adjacent parcels to the Parcel are zoned Agricultural Residential (AR-1) District with a single (B-1) Neighborhood Business Parcel approximately (200) feet to the west on Clay Road and (C-1) General Commercial Parcels farther west on Clay Road at the intersection with Westcoats and Savannah Roads.

Future Land Use Map Designation w/in Comprehensive Plan: Coastal Area

Applicability to Comprehensive Plan: The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property is designated as a Growth Area and has a land use designation of “Coastal Area.” All adjacent parcels on the north side of Clay Road also have the “Coastal Area” designation with all parcels opposite on the south side of Caly Road within the “Commercial Area” classification.

As outlined within the 2018 Sussex County Comprehensive Plan, Coastal Areas are growth areas that the County encourages only the appropriate forms of concentrated new development, especially when environmental features are in play. The Coastal Area designation is intended to recognize the characteristics of both anticipated growth and ecologically important and sensitive



characteristics. The Plan notes, “this region contains ecologically important and sensitive characteristics as well as other coastal lands which help to absorb floodwaters and provide extensive habitat for native flora and fauna. This area also has significant impact upon water quality within the adjacent bays and inlets as well as upon natural the region’s various habitats. And, these factors are themselves part of the reason that this Area is so desirable - making the protection of them important to both the environment and the economy” (2018 Sussex County Comprehensive Plan, 4-15).

In terms of non-residential development, the Plan also provides guidelines for *Coastal Areas* as follows:

Retail and office uses are appropriate but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should also be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas.

Further Site Considerations:

- **Density:** N/A
- **Open Space Provisions:** N/A
- **Agricultural Areas:** The site is within the vicinity of active agricultural lands.
- **Interconnectivity:** N/A
- **Transportation Improvement District (TID):** N/A
- **Forested Areas:** N/A
- **Wetlands Buffers/Waterways:** N/A
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The property is located within Flood Zones “X” and Staff note that the rear portion of the Parcel is within a Wellhead Protection Area. Please note, if this Application for Conditional Use were to be approved by County Council, any site plan to be subsequently submitted for review by Planning & Zoning will be required to meet all the impervious thresholds and requirements in (§89-6(F)) – *Wellhead Protection Areas*. The Parcel is classified as within areas of “Good”, in terms of Groundwater Recharge Potential on the site per data from the State of Delaware.

Based on the analysis provided, the Conditional Use to allow for a “General contractor and construction business with an office, showroom, and storage including vehicles” could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

Existing Conditional Uses within the Vicinity of the Subject Site: Staff have identified a history of thirty-eight (38) Conditional Use applications since 2011 within a one (1) mile radius of the application site. A Data Table and Supplemental Map have been supplied to provide additional background regarding the approval status of Applications in the area to include the location of all current or previous Conditional Use Applications that are less than 1 mile distance from the subject site.

Conditional Use Applications (Within a 1-mile radius of the subject site)						
CU Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ord. Number
1912	Wm. A. Bell & Kathleen M. Sperl-Bell	AR-1	Professional Office	Approved	11/8/2011	2226
1974	Sara Kay I. Phillips	AR-1	Hair Salon	Approved	1/14/2014	2334
2012	Ocean Atlantic Communities (Covered Bridge Trails)	MR	Multi-Family - Townhouses and Condo Units	Approved	12/15/2015	2430
2058	Old Orchard Ventures - Oyster Cove	MR	Multi-Family (Duplex) Dwelling Structures (24 Units)	Approved	10/25/2016	2472
2064	R & K Partners	AR-1	Medical Offices	Approved	3/7/2017	2484
2069	Rudolph Joseph Johnson	AR-1	Workout Studio	Approved	4/25/2017	2494
2073	Delmarva Power & Light Co.	C-1	Expansion of Existing Electrical Station	Approved	3/7/2017	2486
2074	Quail Valley 1525, LLC (Midway Fitness)	AR-1	Therapy and Fitness Center	Denied	8/8/2017	<Null>
2106	MDI Investment Group, LLC (C/O Doug Compher)	MR	Multi-Family (52 Townhouses)	Approved	3/20/2018	2566

2109	Quakertown Wellness Center	AR-1	Health Center	Approved	1/9/2018	2541
2112	Mitchell Family Limited Partnership	AR-1	Medical Office and Ancillary Medical Uses	Approved	3/20/2018	2567
2116	William and Stacey Smith	AR-1	Professional Offices	Approved	3/20/2018	2569
2132	Dorothy Darley	AR-1	Hair Studio	Approved	7/31/2018	2590
2133	Dr. Laima Anthaney and Dr. Michael Cahoon	AR-1	Professional Office	Approved	7/31/2018	2591
2136	Christine Degnon	AR-1	Medical Offices	Approved	10/23/2018	2608
2137	John W. Ford	AR-1	Professional Offices	Approved	7/31/2018	2592
2149	Covered Bridge Trails, LLC	MR	Amended CU 2012	Approved	7/24/2018	2588
2159	Elisabeth Ann Burkhardt	AR-1	Professional Office	Approved	1/15/2019	2628
2160	Procino, Wells, and Woodland, P.A.	AR-1	Professional Office	Approved	3/19/2019	2638
2169	Robert & Debora Reed	AR-1	Multi-Family	Approved	6/18/2019	2663
2181	Mitchell Family, LLC	MR	Multi-Family (209)	<Null>	<Null>	<Null>
2261	What Is Your Voice, Inc.	AR-1	Use Existing Garage for Office Uses And	Approved	9/14/2021	2800
2264	Laudan Investments, LLC	AR-1	General Office Use	Approved	11/16/2021	2813
2281	Susan Riter	AR-1	Borrow Pit	Withdrawn	6/8/2021	<Null>
2313	John Ford	AR-1	Realty Office	Approved	9/20/2022	2885
2316	Southern Delaware Medical Center	AR-1	Medical Office Building	Approved	9/27/2022	2888

2327	Howard L. Ritter & Sons, Inc.	AR-1	Expansion Of a Non-Conforming Borrow Pit	Approved	1/24/2023	2901
2334	Henlopen Properties, LLC	MR	Multi-Family	Approved	7/26/2022	2876
2352	CB Lewes, LLC	MR	Multi-Family (30 Units)	Approved	6/14/2022	2866
2359	JG Townsend Jr. & Co.	AR-1	Multi-Family (102 Units)	Approved	12/5/2023	2964
2409	Bryan Stewart	C-1	Crab Shack Vendor	Approved	2/27/2024	2991
2431	Play It Safe, LLC	AR-1	Professional Office	Approved	7/16/2024	3034
2511	Paulina Owedyk	AR-1	Garage/Storage/Office/Showroom	<Null>	<Null>	<Null>
2527	LIC Housing, LLC	AR-1	Independent Care Facility (95 Bedrooms)	<Null>	<Null>	<Null>
2535	Shellace Ann James	AR-1	Multi-Family	<Null>	<Null>	<Null>
2542	Lauden Investments, LLC	AR-1	Professional Office	Approved	12/17/2024	<Null>
2545	J.G. Townsend Jr. & Co.	MR	Amend Conditions CU 2359	Approved	12/17/2024	3065
2583	St. Jude the Apostle Church D/B/A Code Purple	C-1	Campground	<Null>	<Null>	<Null>





CU 2511 - Paulina Owedyk
CUs Vicinity Since 2011
TM# 335-12.06-56.00

CU 2511 - Paulina Owedyk	CU 2511 - CUs Vicinity (1 Mile)
CU 2511 - 1 Mile Radius	

0

0.25

0.5

1

Miles




State of Delaware, Maxar, Microsoft, Esri, HERE, Garmin, IPC

CU 2511 - Paulina Owedyk
Aerial Map
TM# 335-12.06-56.00

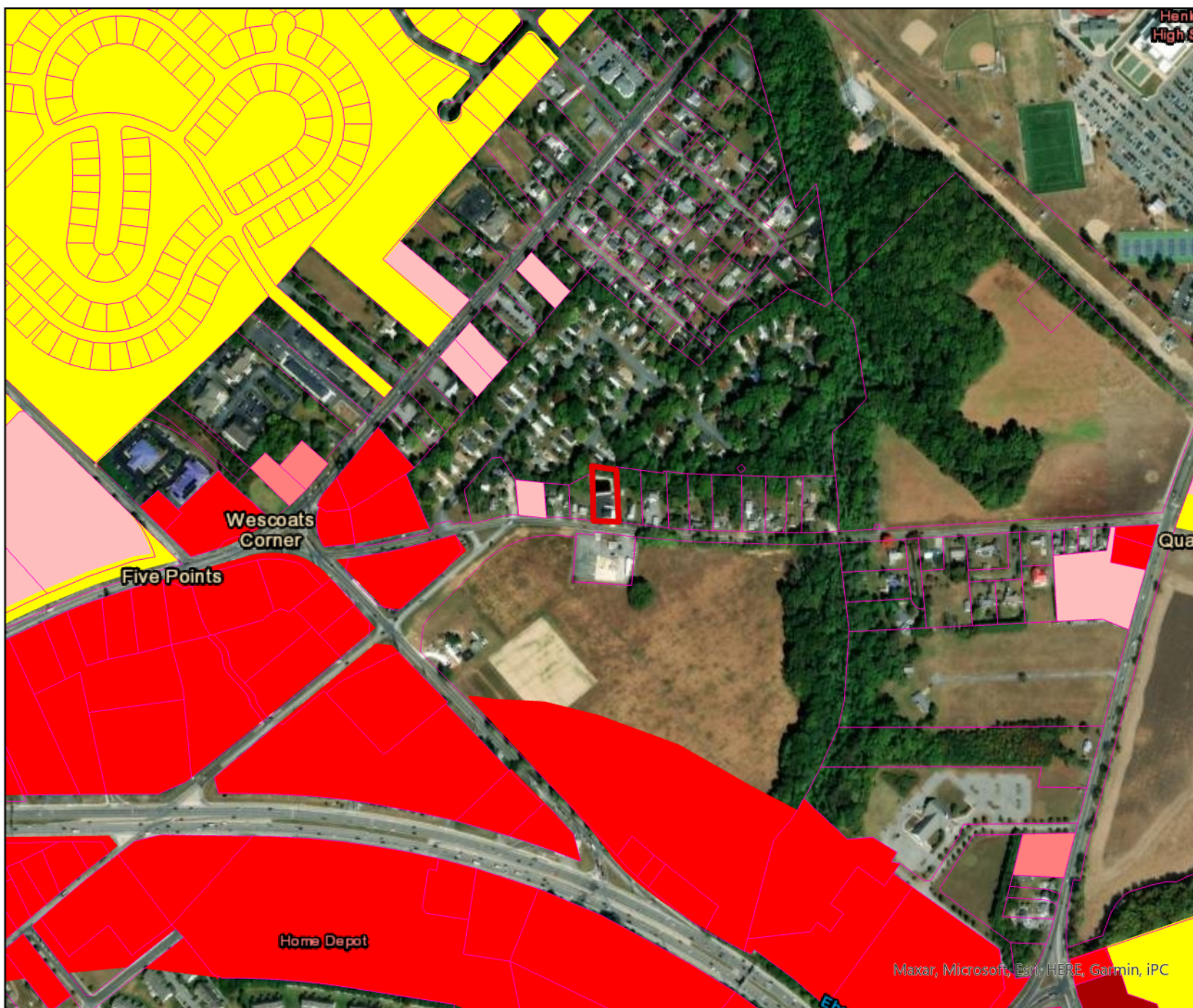
 CU 2511 - Paulina Owedyk

N



0 75 150 300 Feet






Zoning

- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Vacation, Retire, Resident - VRP
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- C1: General Commercial
- C2: Medium Commercial
- C3: Heavy Commercial
- C4: Planned Commercial
- C5: Service/Limited Manufacturing
- B-1: Neighborhood Business
- B-2: Business Community District
- B-3: Business Research

CU 2511 - Paulina Owedyk
Zoning Map
TM# 335-12.06-56.00

 CU 2511 - Paulina Owedyk



Introduced: 6/3/25

**Council District 3: Ms. Gruenebaum
Tax I.D. No.: 335-12.06-56.00
911 Address: 33847 Clay Road, Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GENERAL CONTRACTOR AND CONSTRUCTION BUSINESS WITH AN OFFICE, SHOWROOM, AND STORAGE INCLUDING VEHICLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.46 ACRE, MORE OR LESS

WHEREAS, on the 26th day of January 2024, a Conditional Use application, denominated Conditional Use No. 2511 was filed on behalf of Paulina Owedyk; and

WHEREAS, on the ____ day of _____ 2025, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2511 be _____; and

WHEREAS, on the ____ day of _____ 2025, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional 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, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsections 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2511 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying the north side of Clay Road (S.C.R. 269), approximately 0.43 mile west of Kings Highway (Rt. 9), and being more particularly described in the attached legal description prepared by Ward & Taylor, LLC said parcel containing 0.46 acres, more or less.

This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.