

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

November 18, 2025

10:00 AM

Call to Order

Approval of Agenda

Approval of Minutes - November 4, 2025

[Draft Minutes 11.4.2025](#)

Reading of Correspondence

Public Comments

Consent Agenda

1. Use of Existing Wastewater Infrastructure Agreement, IUA-1269
Westbury (Toomey Property), Millville Area
[Consent Agenda](#)

Todd Lawson, County Administrator

1. Recognition of Retiree – Dina Monaco
2. Library Advisory Board Appointment
3. 2026 Council Meeting Schedule and Holiday Schedule
[2026 Meeting & Holiday Schedule](#)
4. Administrator's Report



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

Karen Brewington, Human Resources Director

1. **Fourth Quarter Employee Recognition Awards**

Gina Jennings, Finance Director

1. **FY 2026 Human Service Grant Recommendations and Possible Awards**
[HSG FY 2026 111825](#)

Mike Harmer, County Engineer

1. **Piney Neck Regional Wastewater Facility Diversion Transmission System, Sussex County Project No. S20-31**

A. Approval of Phase II Service Costs

[Piney Neck Phase II Pricing CP](#)

Kristen McAfee, Manger of Logistics

1. **Paramedic Unit Upfit RFP Results and Possible Award of Contract**
[EMS 2026 Vehicle Upfit Award](#)

Hans Medlarz, Project Engineer

1. **Discussion and Possible Introduction of an Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$7,243,669 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH THE LOVE CREEK MOBILE HOME COMMUNITY (“MHC”) PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”**

[Love Creek MHC Ordinance](#)

2. **Discussion and Possible Introduction of an Ordinance entitled “AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$344,960.39 OF GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE TANGLEWOOD-OAK ACRES SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”**

[New Marydels Rd-Tanglewood-Oak Acres Ordinance](#)

3. **SCWRF Treatment Process Upgrade No.3**

A. GHD Amendment No. 30 – Continued Project Close Support

B. BW Electric - Purchase Order Issuance for County Requested Scope Items

[GHD Amd 30 PO CP](#)

Old Business

1. [Conditional Use No. 2510 filed on behalf of Henry Villegas-Solis](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 0.61 ACRES, MORE OR LESS” (property is lying on the southwest side of Layton Avenue, north of Jersey Road [S.C.R. 305], approximately 0.06 mile south of John J. Williams Highway [Route 24]) (911 Address: 28375 & 28377 Layton Avenue, Millsboro) (Tax Map Parcel: 234-32.00-67.00)

[Old Business CU 2510](#)

Grant Requests

1. **Town of Laurel for their Laurel Welcome Project**
[Town of Laurel 10172025](#)
2. **First State Community Action Agency for their 60th Anniversary Celebration**
[First State Community Action](#)
3. **The Delmarva Community Wellnet Foundation for their SNAC Garden School Partners**
[Delmarva Community Wellnet Foundation \(SNAC\)](#)
4. **Delmarva Council Inc. Boy Scouts of America for their Distinguished Citizen Award Event**
[Delmarva Council Boy Scouts of America](#)

Introduction of Proposed Zoning Ordinances

1. [Ord Intros CZ2033 CU2544 CU2480](#)

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. **Irwin Properties Annexation into the Sussex County Unified Sanitary Sewer District (Ocean View Area)**
[Irwin Properties Annexation](#)
2. [ORD. 25-01](#)

“AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES XIA, XIC AND XXV, SECTIONS 115-83.11 115-83.18, 115-83.19A AND 115-194.7 AND “115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV PERMITTED USES COMMERCIAL” TO AMEND THE REQUIREMENTS FOR RETAIL MARIJUANA STORES IN SUSSEX COUNTY”

[Ord 25-01 Marijuana Ordinance CC Report for 11.18.2025 with intro Ord attached](#)

3. [Conditional Use No. 2483 filed on behalf of Andrew Lewandowski](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A ROOFING & SIDING CONTRACTOR BUSINESS WITH INDOOR AND OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 6.92 ACRES, MORE OR LESS” (property is lying the south side of Lewes Georgetown Highway [Rt. 9], approximately 0.32 mile southwest of Park Avenue [S.C.R. 318]) (911 Address: 22610 Lewes-Georgetown Highway, Georgetown) (Tax Map Parcel: 135-15.00-79.02)

[Public Hearing CU 2483](#)

4. [Conditional Use No. 2500 filed on behalf of Sean Vermillion](#)

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO ALLOW FOR A STORAGE BUSINESS (6 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.07 ACRES, MORE OR LESS” (property is lying on the east side of Polly Branch Road [S.C.R. 386], approximately 0.50-mile southeast of the intersection of Roxana Road [Rt. 17]) (911 Address: 31459 Polly Branch Road, Selbyville) (Tax Map Parcel: 533-17.00-93.03)

[Public Hearing CU 2500](#)

5. [Change of Zone No. 2027 filed on behalf of 1630 Ventures, LLC](#)

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS” (property is lying on the east side of the private lane, Marges Garden Path, and the south side of Milton-Ellendale Highway [Rt. 16], approximately 0.5 mile east of Gravel Hill Road [Rt. 30]) (911 Address: N/A) (Tax Map Parcel: 235-14.00-81.00)

[Public Hearing CZ 2027](#)

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on November 10, 2025 at 3:15 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>.

Any person who intends to present a digital presentation or document, including PowerPoint files, for electronic display during County meetings shall submit said file(s) in advance, no later than one (1) business day before the respective public meeting. Files may be sent electronically to councilpackets@sussexcountyde.gov or delivered by hand to County Administration, located in the Sussex County Administrative Offices, 2 The Circle, in Georgetown. No external storage devices shall be permitted to connect to County equipment.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, NOVEMBER 4, 2025

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, November 4, 2025, at 12:00 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
J. Everett Moore, Jr.	County Attorney

Call to Order	The Invocation and Pledge of Allegiance were led by Mr. Hudson. Mr. Hudson called the meeting to order.
M 453 25 Approve Agenda	A Motion was made by Mr. Rieley, seconded by Mr. McCarron, to approve the Agenda as presented. 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 October 21, 2025, were approved by consensus.
Correspondence	There was no correspondence. Public comments were heard.
Public Comments	Ms. Alison White spoke about upcoming development applications. Ms. Christy Wimmer spoke about impact fees on construction fees. Ms. Jennifer Pawloski spoke about SB199. A remote caller spoke about SB199. Ms. Blair Catlin Brown spoke about funding for school districts. A remote caller spoke about SB199.
LURWG Recommendations	Mr. Lawson discussed the next steps for the Land Use Reform Working Group Recommendations & Comprehensive Land Use Plan.

**Adminis-
trator's
Report**

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

1. County Council Meeting/Holiday Schedule

County offices will be closed on Tuesday, November 11th, for Veterans Day. The next regularly scheduled Council meeting will be held on November 18th.

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

**Old
Business/
CU2395**

Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled "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, Georgetown) (Tax Map Parcel: 135-20.00-81.00) filed on behalf of Breeze-A-Bella Land Group, LLC.

**M 454 25
Approve
CU2395/
DENIED**

A Motion was made by Mr. Rieley, seconded by Mr. McCarron to Adopt a Proposed Ordinance entitled "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".

Motion DENIED: 4 Nays, 1 Yea

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

The votes for denial were based on the reasons provided by Mr. Rieley.

**Old
Business/
CZ2001**

Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-4 PLANNED COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 39.22 ACRES, MORE OR LESS" filed on behalf of Belmead Farm. LLC.

The County Council held a Public Hearing on the application at the meeting

**Old Business/
CZ2001
(continued)** on September 16, 2025. At the conclusion of the meeting, the Council held the Public Record open for a period of 14 days to submit additional questions to State Agencies, with a subsequent period of 14 days for the State Agencies to respond to the Council's questions. The Public was then provided with 14 calendar days from October 14, 2025, to submit additional comments in relation to the State of Delaware's written responses. The Public Record automatically closed at the end of business on October 28, 2025.

**Old Business/
CZ2024** Under Old Business, Mr. Whitehouse presented a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC MEDIUM-DENSITY RESIDENTIAL - RESIDENTIAL PLANNED COMMUNITY DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 94.7 ACRES, MORE OR LESS" filed on behalf of The Christopher Companies.

The County Council held a Public Hearing on the Application at its meeting on September 16, 2025. At the conclusion of the meeting the Council closed the Public Record and deferred action on the application for further consideration.

**M 455 25
Approve
CZ2024/
DENIED** A Motion was made by Mr. Rieley, seconded by Mr. McCarron to approve a Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC MEDIUM-DENSITY RESIDENTIAL - RESIDENTIAL PLANNED COMMUNITY DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 94.7 ACRES, MORE OR LESS".

Motion DENIED: 5 Nays

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

The votes for denial were based on the reasons given by Mr. Hudson as well as the reasons provided by the Planning & Zoning Commission.

Council Member Comments Mr. McCarron commented on the work of the Community Housing & Development Office and impact fees for funding for schools.

Mr. Rieley commented on the money that was budgeted for the Food Bank during this fiscal year for the first time.

Ms. Gruenebaum commented on the funds given to the food bank and impact fees for school funding. She also commented that no decision has been made regarding the Atlantic Fields application.

Rules

Mr. Moore read the rules of procedure for zoning matters.

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442**

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 334-4.00-34.00, 235-27.00-11.00, 12.00, 13.00 & 14.00” (properties are lying on the north and south side of Log Cabin Hill Road [S.C.R. 247], the east and west side of Cool Spring Road [S.C.R. 290], the east side of Hudson Road [S.C.R. 258], and the north side of Lewes Georgetown Highway [Rt. 9] at the intersection of Cool Spring Road [S.C.R. 290] and Lewes Georgetown Highway [Rt. 9] (911 Addresses: N/A, 28645 Log Cabin Road, Lewes, & 16915 Hudson Road, Milton) (Zoning: AR-1 [Agricultural Residential])

The Planning & Zoning Commission held a Public Hearing on the Ordinance on May 7, 2025. At the meeting of July 2, 2025, the Commission recommended approval of the Ordinance for the 16 reasons of approval as outlined.

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 637 ACRES, MORE OR LESS” (properties are lying on the north and south side of Log Cabin Hill Road [S.C.R. 247], the east and west side of Cool Spring Road [S.C.R. 290], the east side of Hudson Road [S.C.R. 258], and the north side of Lewes Georgetown Highway [Rt. 9] at the intersection of Cool Spring Road [S.C.R. 290] and Lewes Georgetown Highway [Rt. 9]) (911 Addresses: N/A, 28645 Log Cabin Road, Lewes, & 16915 Hudson Road, Milton) (Tax Map Parcels: 235-27.00-11.00, 12.00, 13.00, 14.00 & 334-4.00-34.00) filed on behalf of Cool Spring, LLC.

The Planning & Zoning Commission held a Public Hearing on the application on May 7, 2025. At the meeting of July 2, 2025, the Commission recommended approval of the application for the 23 reasons of approval and subject to the 26 recommended conditions of approval as outlined.

A Public Hearing was on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR AN EDUCATIONAL FACILITY TO BE

Public Hearing/ Ord. 23-07, CZ2010, CU2441, CU2442 (continued) **LOCATED ON A 2.65 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 194.17 ACRES, MORE OR LESS” (property is lying on the south side of Log Cabin Hill Road [S.C.R. 247], the west side of Cool Spring Road [S.C.R. 290] and the north side of Lewes Georgetown Highway [Rt. 9] at the intersection of Cool Spring Road [S.C.R. 290], the east side of Hudson Road [S.C.R. 258], and Lewes Georgetown Highway [Rt. 9]) (911 Address: N/A) (Tax Map Parcel: 235-27.00-11.00) filed on behalf of CMF Cool Spring, LLC.**

The Planning & Zoning Commission held a Public Hearing on the application on May 7, 2025. At the meeting of July 2, 2025, the Planning & Zoning Commission recommended approval of the application for the 5 reasons and subject to the 7 recommended conditions of approval as outlined.

A Public Hearing was held on a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR AN ASSISTED LIVING FACILITY AND MEDICAL OFFICES TO BE LOCATED ON A 13.86 PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 194.17 ACRES, MORE OR LESS” (property is lying on the south side of Log Cabin Hill Road [S.C.R. 247], the west side of Cool Spring Road [S.C.R. 290], the east side of Hudson Road [S.C.R. 258], and the north side of Lewes Georgetown Highway [Rt. 9] at the intersection of Cool Spring Road [S.C.R. 290] and Lewes Georgetown Highway [Rt. 9]) (911 Address: N/A) (Tax Map Parcel: 235-27.00-11.00) filed on behalf of CMF Cool Spring, LLC.

The Planning & Zoning Commission held a Public Hearing on the application on May 7, 2025. At the meeting of July 2, 2025, the Planning & Zoning Commission recommended approval of the application for the 6 reasons and subject to the 8 recommended conditions of approval as outlined.

Mr. McCarron made a statement regarding a petition that he signed prior to him serving as an elected official.

The Council found that Mr. James Fuqua, Esq., of Fuqua, Willard & Schab, P.A., spoke on behalf of the Applicants, Carl Freeman Companies and CMF Cool Spring, LLC; that there are four (4) applications being presented that involve 637 acres of land that's comprised of five (5) tax map parcels located on the north side of Route 9 at Cool Spring; that the first application is a request to amend the Comprehensive Plans Future Land Use Map; that the 637 acres are currently designated as being in the low density rural area of the Future Land Use Map; that the amendment

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

proposes a change from the existing designation to the coastal area designation, which is one of the planned growth areas; that the second application is for a Change of Zone from AR-1 (Agricultural Residential) to MR (Medium Density) within a RPC (Residential Planned Community) overlay for the entire 637 acres; that the RPC would be called Cool Spring Crossing and it would consist of residential villages with single family and multifamily homes and the commercial Town Center; that the third application is a Conditional Use for educational facilities to be located in the Town Center; that the final application is for a Conditional Use for an assisted living facility and associated medical offices that would be next to the Town Center; that all four (4) applications are interrelated; that these applications propose a significant large scale, single family and multifamily residential community consisting of 1,922 residential units and a Town Center comprised of retail, service, educational and recreational uses, as well as an assisted living facility and medical offices; that the demand for residential housing in Sussex County is one of the reasons Freeman filed these applications and the situation can be summarized in four (4) comments:

- 1. In 2022, 78% of all residential growth in the state of Delaware was in Sussex County.**
- 2. More than 33,000 people have moved to Sussex County from other states over the past four (4) years and this migration is expected to keep rising for the next three (3) decades.**
- 3. Growth is rapid in Sussex County.**
- 4. There is a lack of affordable multifamily housing units to keep pace with the growing population.**

That those four (4) comments are the comments made by David Edgell, the Director of the Delaware Office of State Planning Coordination, at a presentation made to the Sussex Preservation Coalition in February of 2024; that in agreement with Director Edgell's comments, on the land use issue in Sussex County, the two (2) issues that arise are a strong demand for residential housing and an even stronger need for affordable housing; that the Applicant is proposing Cool Spring Crossing as a Master Plan, a large scale mixed residential use community and a Town Center with a wide variety of uses; that the development is projected to be constructed in multiple phases over a 20 year build out time frame; that considering the zoning approval, site plan approval and agency permitting for this type of development will probably take two (2) to three (3) years, Cool Spring Crossing is not anticipated to be completed until 2048; that Freeman has an established history of developing large scale communities here in Sussex County and has proven it has the experience, the knowledge and the ability to develop a large scale mixed-use community like Cool Spring Crossing; that the request to amend Comprehensive Plans Future Land Use Map from low density, which is a rural area to a Coastal area which is a growth area under the plan is

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

to ensure that the proposed MR-RPC development would be within compliance; that the Comprehensive Plan states that the proposed MR-RPC is not a zoning district designated as being appropriate in a low density area, but is appropriate within the Coastal area; that he and the applicant attended a PLUS meeting in Dover but was not given the opportunity to speak; that the Office of State Planning issued a PLUS review letter objecting and opposing this original request on January 13, 2022; that this letter should be disregarded since it excludes any factors favorable to the amendment; that the opposition is led by the that the current request for amendment brings up the question to the Council as to whether the area of Cool Spring Crossing is still considered to be a rural area in which it would remain as low density on the Future Land Use Map; that following are the facts and reasons for supporting the Coastal Area change:

1. To the West of the Cool Spring Crossing proposed property is the Bay Health Emergency Center, with additional land of residential development including approximately twelve (12) different subdivisions.
2. There is the Sussex Consortium, a special needs school, part of the Cape Henlopen School District not far from the proposed property.
3. There is a commercial corridor of land including a variety of businesses West of Fisher Road.
4. The Stephen Hudson Park is being developed on the South side of Route 9 at Cool Spring Road with a connection to the Lewes Georgetown Bike Trail.
5. The frontage of Cool Spring Crossing is along Route 9, which is a major Sussex County road, which is necessary for the Sussex County Zoning Ordinance to be located along a major arterial roadway.
6. The Delaware Transit Corporation operates a DART bus along Route 9 from Georgetown to the Lewes Park and Ride, with East and West stops all along Route 9, with the offer to install new stops near the Cool Spring Crossing development.
7. The Lewes Georgetown Bike Trail is adjacent to the property with a crossover of Route 9 located at Fisher Road and Route 9 where Hudson Park is planned to be.
8. The proposed Cool Spring development will have a public Road and a future extension to the Town of Milton.
9. Central public sewer is available from Artesian Wastewater Management, Inc. and they hold a Certificate of Public Convenience and Necessity for central water in this area.
10. The Delaware State Housing Authority indicated that the lands comprising Cool Spring Crossing are located within a Delaware State Housing Authority area of opportunity, which are strong, high value markets with close job proximity and economic opportunity, high performing schools, amenities and supportive infrastructure that help households succeed. They also noted that the need for

Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)

affordable housing, particularly in the Coastal Area, is well documented, especially in the PLUS Review letters 2021-1287 and 2021-1288.

11. The Cool Spring Crossing property is contiguous with an existing Coastal Area on the Future Land Use Map all the way from the Northeast corner all the way to the coast.

All of these reasons support that the area of Cool Spring Crossing is not located within a rural area any longer and can support the amendment of the Future Land Use Map to a Coastal Area for this property; that the Delaware Supreme Court has ruled that the adoption of the Comprehensive Plan in Sussex County is vested solely with the government of Sussex County; that Supreme Court case was Denmark versus Sussex County; that the Delaware Planning Act, Title 29, §9103 of the Delaware Code, states that as to the adoption of amendment update or revision of a Comprehensive Plan, the final decision is that of the County; that it is an irrefutable fact, that the 2020 Delaware Strategies for State Spending and Investment Level Maps are not a land use plan; that the Strategies document itself states that it is not a land use plan; that the plan states that the land use authority in Delaware has been delegated to the local government; that the decision to amend or not amend the Future Land Use Map is a Sussex County decision; that the Applicant's request to amend the Future Land Use Map is not unique; that County Council has amended the Future Land Use Map ten times since 2020; that the opposition would argue that the previous amendments were for smaller parcels; that this is a case where size is irrelevant; that it is important to look at the underlying facts to support if there is a basis or not for the change; that if there are solid facts supporting the amendment, it should be approved; that he believed that to be the case with the Cool Spring Crossing project; that next year, the Council will begin its revision of the amendment of the County's Comprehensive Plan and Future Land Use Maps; that this is required to be completed every 10 years, resulting in an updated Comprehensive Plan in 2028; that if the facts he presented support an amendment for the plan in three years, that those same facts support the amendment of the plan today; that in order for the MR-RPC development to proceed, the amendment of the Future Land Use Map to the Coastal Area is required; that if the amendment is not approved by the County, the 637 acres will remain designated as a rural, low density area; that this does not mean that the land will remain as farmland, nor does it mean that the land will remain undeveloped; that if the Cool Spring Crossing MR-RPC does not proceed, the land would be developed with single-family homes on individual lots; that the AR-1 (Agricultural Residential) zoned land, located within the low-density area, is permitted by the Sussex County Zoning Ordinance to be developed as a cluster subdivision; that subject to the design requirements of the Ordinance, a cluster subdivision is permitted to contain two lots per acre; that with a minimum lot size of 7,500 sq. ft., the 637 acres would support a phased cluster subdivision or multiple

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

subdivisions containing 1,274 single-family homes on individual lots; that a subdivision would have none of the numerous benefits of the completed livable community and with these comments, Mr. Fuqua concluded his comments regarding the proposed Future Land Use Map amendment.

In regard to the Cool Spring Crossing, MR-RPC, and the two Conditional Use applications for the educational facility, assisted living facility, and medical offices Mr. Fuqua stated that Cool Spring Crossing is designed as a mixed-use community containing several seven residential villages and a town center that the villages will contain a mixture of housing types being single-family homes, and various types of multi-family dwellings; that the variety of housing types will result in a range of housing options and prices for both purchase and rental; that the homes in the villages will be located on new developed streets, interconnected with existing public roads, with pedestrian and bicycle network of sidewalk and shared use paths, to create a walkable and bikeable community; that a network of recreational uses, parks, and open space area will be interspaced throughout the development; that the Town Center is adjacent and easily accessible from the residential villages; that the Town Center will offer a variety of retail and service businesses, educational facilities and recreational opportunities; that this will reduce the need for vehicle dependency for residents of Cool Spring Crossing; that the project has road frontage along the northside of Rt. 9, the east side of Hudson Road, and along both sides of Cool Spring Road and Log Cabin Road; that the Town Center would front Rt. 9, bordering the western side of Cool Spring Road, and the eastern side of the Bay Health emergency facility; that there are seven distinct residential villages; that three villages, being Village A, B & C are located south of Log Cabin Road; that four villages, being Villages D, E, F & G are similar in nature, as they all contain a mixture of single-family homes, on individual lot, and a variety of multi-family dwellings; that Village C is located to the west, on the west side of Josephs Road; that this village will only contain 34 single-family lots; that it is envisioned as the community of higher end, custom build type homes; that Village A is located to the north of the Town Center; that Village A will contain 700 multi-family dwellings and a mixture of housing type; that there will be 50 patio homes, 144 quadplexes, 30 villas, 188 townhomes, and 288 condominium units; that Village A is planned and designed as the more affordable village and community, with residential units both for sale and for rent; that 175 of the Village 8 units, being 25%, of the 700 units will be made subject to the Sussex County Rental Program (SCRPP) Ordinance; that the Ordinance was enacted by Sussex County Council to encourage the creation of the affordable rental housing, particularly for County workers in the easter part of Sussex County; that the rental program ordinance controls both the eligibility criteria for tenants and the rent schedule for tenants based on the tenant's family income; that as required by the Ordinance, the types of units participating in the rental

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

program must be the same ratio as the different types of units in Village A; that the units must be integrated, not separated from, the other units in Village A; that the units must be the same design and floor layout as the other units of Village A; that Village A would have the same access from Cool Spring Road, Log Cabin Road, and from the main entrance to the Town Center, located off Rt. 9; that Village A will be comprised of approximately 115 acres, of which 61 acres will be open space, including five interior park areas; that the open space; that the open space amounts to approximately 53% of the Village A area; that upon full completion of all of the villages, Cool Spring Crossing will contain 1,922 residential units, made up of 534 single-family homes, and 1,388 multi-family units of various types; that the proposed number of units is less than the maximum number of units that would be permitted within the residential planned community (RPC); that there is a special formula to calculate permitted density of RPC's; that for the project containing 637 acres, the area was reduced by the streets, resulting in 63.46 acres; that they took a conservative approach when performing the Town Center reductions calculations, by deducting the entire Town Center area, which contains 57.94 acres; that this calculation results in the permitted development area; that when deducting the streets and Town Center acreage from the gross development area, it results in a net area of 515.6 acres; that when one divides the net area of 515.6 acres by 10,000 sq. ft., being the minimum lot size permitted within the MR (Medium-Density Residential) district, the result of permitted density within the RPC would be 2,245 residential units, with a density of 3.52 units per acre; that the project is only proposing 1,922 units, with a density of 3.01 units per acre, being significantly less than the permitted density for the MR-RPC; that the result of the 3.1 units per acre density, was determined solely by using the MR (Medium-Density Residential) density; that they did not use any of the bonus density that is permitted under the Sussex County Rental Program, which would have allowed the density to increase up to 12 units per acre; that regarding the Town Center, the Town Center fronts on Rt. 9, being bordered by Cool Springs Road on the east, and the Bayhealth emergency urgent care center on the west, with Village A being located to the north; that the main entrance to the Town Center is from Rt. 9, with an additional entrance from Cool Spring Rd.; that there are several access streets from Village a that connect to the Town Center; that the center will include a variety of retail, service and educational and recreational uses to serve the Cool Spring residents, as well as the area residents; that the proposed uses will include a grocery store, bank, a convenience store with a gas service, four restaurants, five retail stores, an art & theater facility, which would be the Cultural Center of the community; that it is envisioned to be operated by a local theater group, who would provide live theater workshops and other live performances, as well as painting and similar art classes, workshops and displays; that the Town Center would also include a 100 room hotel, a modern YMCA, or similar type of facility with a full gym, indoor and outdoor pools, indoor and outdoor pickleball, indoor tennis

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

courts, multi-purpose meeting rooms, and an early childhood program for the care and instruction of preschool ages children; that the Town Center would include the two requested Conditional Uses; that the educational facilities would be located in two buildings with classrooms, resources areas, study areas, and administrative offices; that one building would be the college level instruction, potentially with the University of Delaware offering associate degree courses and professional certifications; that the second building would be for adult learning, potentially operated by the University of Delaware's Osher Lifelong Learning Center, which is a volunteer driven educational cooperative for adults aged 50 plus; that this project offers a wide variety of subjects, often taught by experienced retired residents; that the other Conditional Use to be located within the Town Center would be the assisted living facility; that the facility would have a capacity of 100 residents; that it would also have the associated medical office building, focusing on senior healthcare, which could possibly be associated with Bayhealth, who operates the emergency and urgent care center, located adjacent to the Town Center; that at the core of the Town Center, there are two large area of landscape open space, which will consist of a village green, and an event lawn for various community events and activities; that the Town Center would create economic development and employment opportunities, as well as convenient access to shopping and services to both residents of the community and residents in the area; that the Town Center would have a built-in advantage of having customers from the Cool Spring Villages, who would have the opportunity to access the Town Center without the need to drive; that in an RPC, commercial uses is one acre for each 100 dwelling units; that the 1,922 units being requested would equate to 19.22 acres of commercial use; that the planned commercial uses in the Town Center would utilize 18.52 acres of lands, being within the commercial use calculation; that regarding the entire community, and the recreational and social aspects of the development, the project is designed to be a walkable and bikeable community; that the project offers extensive opportunities for recreational activities and residential interaction, with sidewalks on both sides of community streets; that a DelDOT design shared use path will be provided along one side of the site frontage, along Rt. 9, Cool Spring Road, Hudson Road, Log Cabin Road, and on the extension of Cool Spring Road that comes through the development; that those shared use paths will be interconnected with the Lewes Georgetown Bike trail, which borders the property along Rt. 9; that the Town Center has the village green, the event lawn, and other recreational, educational, and entertainment opportunities for residents; that the main recreational complex is located between Villages D, E, F & G; that this complex will include a clubhouse, with a minimum of 7,500 sq. ft. of floor area, accommodating areas for group fitness exercise, children's play, teen gathering, meeting rooms, casual seating area, staffed offices, restrooms and a refreshment and storage area; that located adjacent to the clubhouse, will be an outdoor, resort style swimming pool, separate kids pool with a splash play area, and

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

a hot tub area, which will be surrounded by an expansive deck with shaded and unshaded areas; that there will be tennis, pickleball, and bocce ball courts; that also in this area will be a green space picnic area, with fire pits, gas tabletop grills, seating and open space for special events and entertainment; that there will be four additional outdoor swimming pools, with bathhouses, to be located in Villages B, D, G and also between Villages E & F; that there are several larger village parks, along with smaller neighborhood parks, with other recreational features, to be determined at a later time, but part of the site plan review approval for each phase; that there will be approximately 1.5 mile nature trail that will meander along the western edge of the Martin Branch Conservation area; that all of the homeowners within Cool Spring Crossing, with the exception of the owners located within Village A, will be required to be members of the Recreational Association, with quarterly or annual assessments to cover the expenses of operating and maintaining the recreational facilities; that Village A is planned and designed to be the more affordable village within the development; that in keeping with that goal, the owners of Village A will not be required to be members of the Recreational Association; that the owners of Village A, will have the option of joining the Recreational Association, subject to the same recreation fee as the other members of the Recreational Association; that Village A will have five internal open space park areas; that those areas contain 3.3, 2.3, 1.3, 1.2, and .9 acres; that the specific design of the parks has not been finalized; that the spaces would be focused on spaces to gather, to exercise and to play; that the parks will include pavilions, numerous shades areas with benches, a walking loop, a children's bike/scooter loop track, two playgrounds, a yoga lawn area, open play areas, outdoor fitness stations and a possible dog park; that Cool Spring Crossing will be served by public central sewer by Artesian Wastewater Management Company; that public central water will be provided by Artesian; that Artesian has stated they are willing and able to provide sewer and water to the development; that Artesian has been issue a majority of the water and sewer certificates of Public Convenience and Necessity by the Delaware Public Service Commission to serve the area; that Artesian owns two properties that are surrounded by or located adjacent to the Cool Spring Crossing property, being the undeveloped parcel at the southeast intersection of the Cool Spring Road and Log Cabin Hill Road, and the elevated water storage tower, located along Cool Spring Road; that there is real pipe infrastructure in the ground to provide services for this proposed development; that Artesian's Ability to Serve letter, dated April 9, 2025, is located within the Applicant's submitted exhibit booklet; that stormwater management facilities, are required and will be designed and constructed to meet or exceed the requirements of DNREC's Sediment and Stormwater Management regulations, and also the Inland Bays Pollution Control Strategies; that the development of Cool Spring Crossing will occur over a 20 year period, in construction phases; that each phase will have its own Sediment and Erosion Control Plan, approved by the Sussex Conservation District, prior to the start of the

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

construction phases; that there are multiple stormwater ponds integrated in the site design; that because the sites well drained sandy soil, and the relatively low water table, bioretention and infiltration practices will be utilized; that the development's stormwater will be directed to treatment ponds, and other management facilities for pretreatment, prior to any infiltration or discharge; that this will create significant improvement compared to the current condition of unfiltered stormwater runoff from land in agricultural use; that traffic impacts are almost always the main issue involved in any proposed development application.

Mr. Rieley questioned whether any correspondence were received from the Cape Henlopen School District, State Police or Milton Fire Company.

Mr. Fuqua state that Sussex County is required by law to have an agreement with DelDOT to provide a procedure to determine the traffic impact of any rezoning application; that in September 2020, Sussex County Council approved and executed an update Memorandum of Understanding (MOU) between the County and DelDOT establishing this agreement; that the Cool Spring Crossing application will have a significant impact on traffic; that provided within the MOU, at the Applicant, at the Applicant's expense, is required to conduct a Traffic Impact Study (TIS); that on Page 7 of the MOU, it states the Sussex County and DelDOT should encourage Master Planning for large scale development on large parcels or groups of parcels located within the Coastal Area; that Century Engineering was retained by Carl Freeman Companies to perform a Traffic Impact Study (TIS), in accordance with the scope and parameters established by DelDOT; that Century Engineering studied and reviewed the impact at all proposed access points to the development, and approximately 48 intersections in the surrounding area; that the TIS dated June 30, 2022, was reviewed by DelDOT, and subsequently DelDOT issued there TIS Review letter on January 10th, 2023; that subsequent to the issuance of the DelDOT Review letter, the applicant made some changes to the Cool Spring Crossing site design; that those changes reduced the number of proposed dwellings, and reduced the number of access points from ten to six; that those changes resulted in a reduction of the daily and peak hour trips; that as a result of those changes, DelDOT did require an updated review of the TIS, taking into consideration the revision of the land use, and the site entrances; that in additional, DelDOT also required a supplemental Sensitivity Analysis, to identify when improvements, to help mitigate traffic deficiencies should be constructed; that the Sensitivity Analysis was prepared by JMT Engineering, being DelDOT's consulting traffic engineering firm; that the final Revised TIS Review letter was issued by DelDOT in January, 2025; that both the original and the revised TIS letters are included into the record; that DelDOT's revised letter provides that the Applicant is responsible for 22 specific roadway and intersection improvements, and also monetary contribution to several current DelDOT projects; that the

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

required improvements are listed in detail on Pages 17 through 23 of the Revised TIS Review letter; that the Revised TIS Review letter also discusses the Sensitivity Analysis, and provides a time frame of when required improvements must be constructed; that the majority of the intersection improvements must be constructed at the beginning of the site plan construction; that the Applicant has fully complied with the requirements and provisions of the Sussex County and DelDOT Memorandum of Understanding for land development coordination; that the Applicant will be responsible for all the improvements and contributions as determined by DelDOT; that those applications will be implemented concurrently with the development, as determined by DelDOT's Sensitivity Analysis.

Mr. Drew Boyce from Century Engineering discussed the traffic impact study that was completed; that the recommendations from DelDOT were not changed from the initial more intense development; that the plan was reduced from a larger development; that the scope of the project was discussed further; that the traffic impacts and trips generated by the proposed development were discussed.

Representatives from DelDOT discussed the analysis that was completed for the proposed project.

Mr. Fuqua stated that the applicant has done everything that is required of them by DelDOT and the MOU; that based on DNREC's Wetlands Maps, there are no State regulated Tidal wetlands located on the property; that there is a single perennial stream, known as Martin Branch, located along the eastern boundary of the property; that as identified on the FEMA Flood Insurance Maps and the National Wetland Inventory Maps, federally regulated Non-Tidal wetlands exist on the low-lying area, adjacent to Martin Branch; that a Wetland Boundary Determination was performed by Mr. Edward Launay, with Environmental Resources, Inc., which found that there were 29.6 acres of stream and Non-Tidal wetlands existing on the site, being Martin Branch and the adjacent area wetlands; that the U.S. Army Corp of Engineers Office confirmed the determination, and issued a Jurisdictional Determination Letter on April 17, 2024; that there are no additional Tidal or Non-Tidal wetlands located on the property; that with the exception of the 29.6 acres containing Martin Branch, and the adjacent wetland, the remainder of the property is uplands, comprised of well drained, sandy soil, with an average elevation between 25 to 35 feet; that the site currently contains 217 wooded acres; that the development plan will result in approximately 103 acres of the existing woodlands to be removed, and 114 acres (53%) of the existing woodlands to be preserved; that except for a large portion of forested area adjacent to Martin Branch, historical aerial photos and land owner records, indicate that most of the other woodlands have been timbered in the past, being considered mid-succession, containing tree species typical of previously

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

timbered land; that almost all tree clearing being proposed is located in the location of the pre-timbered areas; that the most important, natural and environmentally sensitive portion of the site, is located on the eastern boundary of the site; that this is the location of Martin Branch; that the Applicant recognizes and acknowledges the environmentally sensitive nature of this area, and accepts the responsibility of protecting and preserving the natural feature; that in 2022, the County enacted the Sussex County Resource Buffer Ordinance, which does apply to the Cool Spring Crossing applications; that this Ordinance would require a 50 foot wide resource buffer from Martin Branch; that it would require a 30 foot wide resource buffer from the edge of all Non-Tidal wetlands; that the Cool Spring Crossing development will far exceed the resource buffer requirements, by providing an expansive Martin Branch Conservation Area, consisting of the required resource buffers and additional land voluntarily included in the conservation; that as permitted by the Resource Buffer Ordinance, the Applicant elected to voluntarily expand the resource buffer by an additional 15 foot in width; that the Applicant is not requesting any buffer averaging; that the area would result in a total Non-Tidal Wetland Resource Buffer of 45 feet, which results in a total of 13.73 acres of forested, Non-Tidal wetlands; that the required 50 foot buffer from the perennial stream lies within the wetland area; that the 50 foot buffer is provided, as it overlaps with the wetland and other buffers; that the additional conservation area contains 61.61 acres of forested land, with the exception of 2.6 acres of open field; that the open field will be maintained as a natural meadow; that the meadow will be planted with pollinator wildflower seed mix that is targeted to support the Monarch butterfly during its migration; that the Monarch butterfly is a candidate for listing as a threatened species by the U.S. Fish and Wildlife Service; that the additional conservation area, borders the Non-Tidal wetland resource buffer, resulting in a substantial increase in the width of the buffer from the wetland line; that the buffer varies considerably, but on average the buffer is about 130 feet in width, compared to the required 30 foot wide buffer; that the buffer consisting of the required buffer, the expanded resource buffer, and the 61.61 acres of voluntarily provided conservation area, results in a total buffer of 75.34 acres, resulting in more than eight times the required resource buffer area; that the entire Martin Branch Conservation Area, consisting of Martin Branch, the adjacent Non-Tidal wetlands, the resource buffers, and the voluntary Conservation Area will permanently preserve and protect 104.93 acres of the most natural and environmentally sensitive portion of the site; that this protected area also includes all of the Cool Spring Crossing site that is located within a Flood Hazard Area according to the FEMA Flood Insurance Maps; that all of the area proposed for development is located outside of the floodplain as designated by FEMA's Floodplain maps; that the Martin Branch Conservation Area will also be made subject to a Declaration of Restrictions, permanently preserving it as a natural area, and a Resource

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

Buffer Management Plan, providing the management and stewardship of the protected area; that three are three additional areas, containing an additional 12 acres, that will also be subject to the conservation documents; that those lands are located on the western side of the property, near Hudson Road; that there are three or four trees that will be preserved in that area; that in total, the entire conservation area, including the Hudson Road portion of the forest, will contain approximately 117 acres, being over 18% of the Cool Spring Crossing site; that in addition to the Environmental Protection, the Martin Branch conservation area will also preserve and protect the archaeological integrity of the site; that the State Historical Preservation Office (SHPO) indicated that the majority of the site had low potential for prehistoric archaeological sites, except for a low to moderate potential, located on the eastern side of the site, near Martin Branch; that the Applicant retained Mr. Edward Otter to perform and Archaeological Assessment of the property; that the assessment confirmed that the area of near Martin Branch had the most potential for Native American sites; that all of the areas identified by SHPO and Mr. Otter, are located the Martin Branch Conservation Area, that will be permanently preserved and protected by the conservation restrictions and the conservation management plan; that Mr. Otter also conducted an archaeological study and delineation of the known cemetery site, located south of Log Cabin Road, just west of Cool Spring Road; that the cemetery area is located on the eastern side of Village A; that the study determined that there were four marked graves, and possibly more members of the Warrington family, who owned the land and passed between 1843 and 1849; that the delineation determined that the cemetery is 30 feet by 30 feet in size; that this area is two feet higher in elevation than the surrounding farm field; that this is due a loss of two feet in elevation, with over a century of rain and plowing; that the delineation excavated soils around the identified cemetery to confirm that no graves or human remains were present outside of the 30 ft. x 30 ft. cemetery area; that markers were placed at the cemetery corners; that the cemetery, as part of the Cool Spring Crossing Development, will be restored; that a fence will be erected, marking the cemetery boundaries; that there will be a 25 foot buffer established from the fence line, and a marker will be placed to provide historical data or information regarding the cemetery; that including the 117 acres in the superior design conservation area, altogether the Cool Spring Crossing development will contain 296 acres of open space, being approximately 46% of the site; that the project will provide positive economic benefits, since one of the purposes of the Sussex County Zoning Authority is to promote the welfare and prosperity of the present and future county; that the Applicant retained Sage Policy Group, Inc., an economic and policy consulting firm out of Baltimore, Maryland, to prepare a report analyzing the economic and fiscal impacts of the proposed development; that the report indicates that over the estimated 20 year build out, will result in the following impacts being, the construction phases, consisting of site preparation, infrastructure

Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)

installation, and residential and non-residential building construction is estimated to cost \$836 million; that the construction phase will support thousands of jobs in Sussex County, the majority of which will be in the construction trades, with an estimated \$475,000,000 in labor income; that after completion, the development will support approximately, 1,500 permanent Sussex County jobs, generating an estimated \$30 million in annual labor income; that transfer taxes from the initial land purchases will generate \$12.5 million to Sussex County, and \$20.9 million of revenue to the State; that future resales will be sold in additional transfer tax revenue; that Sage determined, assuming the demographic of the 1,222 units, being all units except for Village A, that pupil generation from the development on the Cape Henlopen School District, would align with the demographics of Lewes and Milton, based on the U.S. Census Bureau's data; that Village A, being 700 more affordable workforce units, they were assumed to have similar demographics as the entirety of Sussex County; that the report projects, that once the development is at full build, would generate an estimate of 449 public school pupils in the Cape Henlopen School District; that with a 20 year build out, 449 pupils would average to 20 new pupils per year; that the Sage report estimates that the pupils from Cool Spring Crossing would increase the school district's annual expenditure by \$4.1 million; that those expenditures would be offset by annual property tax revenue in the district of \$4.7 million; that this would generate an annual net surplus of \$550,000 to the district; that regarding fire and emergency services, the closest fire companies to the development are the Milton Fire Department and the Lewes Fire Department; that the Applicant did meet with the fire department representatives; that the Applicant has offered, that rather than the fire departments relying on individual contributions from Cool Spring Crossing homeowners, there would be a provision in the covenants stating upon issuance of the certificate of occupancy for each residential unit, each unit will be responsible for an annual fee of \$100; that the fee will be collected as part of the HOA fees; that the HOA or condo association will pay the fire department; that non-residential uses of the Town Center, will be responsible for an annual fire company fee of \$58,000, that will be correlated as it is built in the percentage of completion, and will progress as the Town Center progresses build out; that at build out the fire company fee would total \$250,000 per year, with half of the fee being paid to the Milton Fire Department and the other half of the fee being paid to the Lewes Fire Department; that the Applicant did receive a letter from the Milton Fire Department, extending its appreciation for the offer and the proactive approach that Carl Freeman Companies is taking, to address the fire departments concerns; that the Commission recommended approval for the applications; that the applicant proposes to add another condition; that this condition is to set a cap of any building permits per year; that the proposed condition ZZ states "with the exception of village no more than 200 residential building permits will be issued per year. There will be no exceptions with Village A".; that Village A is where

**Public
Hearing/
Ord. 23-07,
CZ2010,
CU2441,
CU2442
(continued)**

the affordable units will be located; that the applicant reviews this as being smart growth; that in the 2020 Delaware Strategies Document, the State discusses complete communities; that they discuss things that Cool Springs has in their plans; that the Comprehensive Plan states that in the Coastal Area, residential homes are encouraged; that per the Sussex Preservation Coalitions agenda, Cool Spring Crossing will be a livable community; that the Coalition's opinion is the project is not the right use, at the right place, at the right time; that this development includes some of the items included in the Working Group recommendations; that the Council's opinion must be based on the facts placed into the record; that the project is the right use, being a mixed-use development, with a variety of housing options, located adjacent to a Town Center; that the project's design is consistent with the criteria of a complete community of a Master Plan community, or a livable community; that for the reasons previously stated regarding the Future Land Use Map amendment, the area is an appropriate place for the proposed project; that the site will have central sewer and water, and located near medical facilities; that the proposed site is possibly the only suitable land in the area for large scale development; that the Applicant requests approval for this application.

Mr. Rieley discussed the existing bike path crossing and if the applicant considered another way for cyclists to safely cross Route 9. Mr. Rieley questioned if the applicant considered incorporating as a town. Mr. Fuqua pointed out if that were to occur, they would have zoning authority.

Ms. Gruenebaum discussed the meaning of the map and if the affordable units can be moved to market rate in the future.

A discussion was held about the permitted use for the property.

Public comments were heard.

Mr. Tim Krimble spoke in support of the application.

Mr. Brian DiSabatino spoke in support of the application.

Mr. Jon Horner spoke in support of the application.

Mr. Dave Carey spoke in support of the application.

**M 456 25
Recess**

A Motion was made by Mr. Lloyd; seconded by Ms. Gruenebaum to take a recess.

Motion Adopted: 5 Yeas

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

Mr. Hudson, Yea

M 457 25 **A Motion was made by Mr. McCarron, seconded by Mr. Rieley to**
Reconvene **reconvene.**

Motion Adopted: 4 Yeas, 1 Absent

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

Public **Public comments were heard.**
Hearing/

Ord. 23-07, **Members of the Sussex Preservation Coalition including Joe Pika, Jim Dick,**
CZ2010, **Rich Borrasso, Jill Hicks and Jack Young spoke in opposition of the**
CU2441, **application.**

CU2442
(continued) **Pam Steinebach from DelDOT answered questions from the Council**
 regarding traffic.

Ms. Fern Goodheart spoke in opposition of the application.

Ms. Alison White spoke in opposition of the application.

Mr. Dave Green spoke in opposition of the application.

Mr. Terry Bartley spoke in opposition of the application.

Mr. Phillip Sky Brady spoke about the application.

Mr. Johannes Sayre spoke in opposition of the application.

Ms. Alison Monroe spoke in opposition of the application.

Ms. Judy Rose Siebert spoke in opposition of the application.

Mr. William Zack spoke in opposition of the application.

Mr. Ray Walls spoke about the application.

Ms. Susan Anderheggen spoke about the application.

The Public Hearing was closed for all of the applications.

M 458 25 **A Motion was made by Mr. Rieley, seconded by Ms. Gruenebaum to defer**
Defer **action on a Proposed Ordinances entitled “AN ORDINANCE TO AMEND**
Action/ **THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN IN**
Ord. 23-07, **RELATION TO TAX PARCEL NO. 334-4.00-34.00, 235-27.00-11.00, 12.00,**

**CZ2010,
CU2441,
CU2442**

13.00 & 14.00”, “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AN MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 637 ACRES, MORE OR LESS”, “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR AN EDUCATIONAL FACILITY TO BE LOCATED ON A 2.65 ACRE PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 194.17 ACRES, MORE OR LESS” and “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR AN ASSISTED LIVING FACILITY AND MEDICAL OFFICES TO BE LOCATED ON A 13.86 PORTION OF A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 194.17 ACRES, MORE OR LESS” and to keep the record open for Council Members to ask questions of the Cape Henlopen School District, DelDOT, Fire Companies, State Forester and Office of State Planning for two weeks, then allow two weeks for those agencies to respond to the questions and then allow two weeks for any member of the public and the applicant to respond to those responses all due by close of business day.

Motion Adopted: 5 Yeas

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

**M 459 25
Adjourn**

A Motion was made by Mr. Rieley, seconded by Mr. Lloyd to adjourn at 7:11 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

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING & DESIGN REVIEW

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



Sussex County

DELAWARE
sussexcountype.gov

MIKE HARMER, P.E.
SUSSEX COUNTY ENGINEER

Memorandum

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

FROM: John J. Ashman 
Director of Utility Planning & Design Review

RE: *Existing Wastewater Infrastructure Use Agreement
Westbury (Toomey Property) IUA 1269
File: OM 9.01*

DATE: November 18, 2025

The Existing Wastewater Infrastructure Use Agreement is an arrangement that collects financial contributions based on development built out flows for available capacity in the existing wastewater transmission infrastructure previously funded by the County while at the same time eliminating the granting of "oversizing" credits.

The Engineering Department requests approval of an agreement for the existing wastewater infrastructure use with **Christopher at Westbury, LLC** for **Westbury (Toomey Property)** project in the **Millville Area**. Such an arrangement does not modify the underlying land use decision in any form. However, it allows the wastewater originating from the approved project to be conveyed through the existing transmission system previously constructed by the County.

Under the proposed arrangement, **Westbury** project will connect to the existing County owned wastewater infrastructure. In return for utilization of said, **Christopher at Westbury, LLC** will contribute **\$74,581.00** for the financial catch-up contribution of the existing infrastructure to serve **78.00** Equivalent Dwelling Units. Payment is required prior to beneficial acceptance of the projects on-site collection system.



EXISTING WASTEWATER INFRASTRUCTURE USE AGREEMENT

Toomey Property – IUA1269

THIS AGREEMENT (“Agreement”), made this 15 day of September, 2024, by and between:
2025

SUSSEX COUNTY, a political subdivision of the State of Delaware, hereinafter called the “County,” and;

CHRISTOPHER AT WESTBURY, LLC a limited liability corporation and developers of a project known as **Toomey Property**, hereinafter called the “Developer.”

WITNESSETH:

WHEREAS, Developer is developing a tract of land identified as Tax Map parcel 134-12.00-376.00 to be known as **Toomey Property** (“Project”) and;

WHEREAS, the Project is within the boundary of the Sussex County Unified Sanitary Sewer District (Millville Area) and;

WHEREAS, the Project will utilize available capacity in existing wastewater infrastructure previously funded by Sussex County.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, which is hereby acknowledged by both parties as sufficient consideration, the parties hereby agree as follows:

- (1) Developer is proposing to utilize County’s existing collection and transmission capacity by connecting to existing regional infrastructure used by multiple pump stations.
- (2) In exchange for permission to connect 78.00 additional equivalent dwelling units to County’s existing sanitary sewer system and to utilize the existing transmission capacity in said system, Developer agrees to financial catch-up contribution in the net amount of \$74,581.00 for said existing facilities.
- (3) The contribution amount in the case of multiple pump stations using an existing collection and transmission system is based on the ratio of average flow capacity utilization of said transmission facilities.
- (4) **Payment of the contribution will be required prior to beneficial acceptance of the on-site sewer collection system.**
- (5) All the conditions of this agreement must be disclosed to any and all third-party purchasers of the project and/or part of the project prior to the time of settlement.

- (6) If the Project (as currently submitted) is amended and County determines in its sole discretion that such amendments materially affect this Agreement, this Agreement may be declared by County to be null and void, and any unused payments made pursuant to this Agreement shall be returned to Developer, unless the parties otherwise agree. Nothing herein shall prevent the parties from the negotiation of a new agreement with respect to the amended Project, as the parties may deem appropriate.
- (7) The contribution is to be placed in County's sewer capital fund and expended towards overall debt reduction or at such time when any transmission infrastructure in County's Unified Sanitary Sewer District requires capital improvements (See Chapter 110-96 of the Sussex County Code).
- (8) Developer shall be responsible for payment of any and all undiscounted system connection charges in accordance with and pursuant to the requirements of the *Sussex County Code* for all lots, due at such time the Developer receives the sewer connection permit.
- (9) Developer shall comply in all aspects with the *Sussex County Code* and any other local, state, county, or federal laws, regulations, or policies that may be applicable and as such may be hereinafter amended.
- (10) Prior to the commencement of construction of any sanitary sewer facilities for the Project, Developer shall obtain a project construction permit from the County in accordance with and pursuant to the requirements of the *Sussex County Code*.
- (11) In order to allow the opportunity for a County representative to be present as the County so chooses, Developer shall send written notice to County of the date upon which connection to the County regional transmission system will be made. Developer shall follow County's written or verbal instructions in making said connection to the County sanitary sewer system.
- (12) Developer may assign this Agreement in whole or in part to any entity controlled directly or indirectly by Developer or to any third party who purchases, leases or otherwise controls any portion of Developer's property without the consent of County. Developer, and any subsequent assignees or successors shall provide County at least ten (10) days' written notice of any such assignment. Any other assignments, transfers, or conveyances with respect to this Agreement are prohibited without prior written consent of County.
- (13) To the extent permitted by law, Developer shall indemnify and hold harmless County, and its appointed and elected officials, employees, licensees, and agents for any claims, losses, liabilities, suits, or damages, including but not limited to reasonable attorneys' fees, professional engineering fees, and any other costs of litigation, arising out of Developer's negligence in connection with its performance

of this Agreement, including but not limited to damage to the County's infrastructure in making connection to County's regional transmission system. The obligations of this Paragraph shall survive the termination of this Agreement.

- (14) All the terms, covenants, and conditions of this Agreement shall in all respects be governed and construed under and pursuant to the Laws of the State of Delaware without respect to its conflict of law provisions. This Agreement may only be amended, supplemented or modified by a subsequent written agreement executed by all the parties hereto.
- (15) This Agreement and exhibits constitute the final, entire and exclusive agreement between the parties with respect to the subject matter of all matters discussed in it and supersedes all prior or contemporaneous discussions, statements, representations, warranties or agreements, whether written or oral, made in connection with the Agreement described herein.
- (16) It is mutually agreed between the parties that no review, approval, acceptance, and/or payment made under this Agreement shall be conclusive evidence of the performance of the Agreement, either wholly or in part, and that no review, approval, acceptance, and/or payment shall be construed as acceptance of defective work by County, nor in any way relieve Developer of its responsibility for the adequacy of its work.
- (17) The waiver by any party hereto of a breach of any provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach. Neither party shall be deemed to have waived any rights under this Agreement unless such waiver is expressly given in writing and signed by the waiving party. No delay or omission on the part of either party in exercising any right shall operate as a waiver of such right or any other right.
- (18) This Agreement shall be executed in duplicate, any copy of which shall be considered and construed as and for the original.
- (19) If any provision of this Agreement shall be deemed invalid or unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not render invalid or unenforceable any of the other provisions of this Agreement which may be given effect without such invalid or unenforceable provision, and to this end, the provisions of this Agreement are hereby deemed to be severable.

Any notice required to be delivered to or by either party under this Agreement shall be sent by U.S. first class mail. For purposes of this provision, the address of the County is 2 The Circle, P.O. Box 589, Georgetown, Delaware, 19947, and the address of the Developer is 10461 White Granite Drive, Suite 250, Oakton VA 22124.

IN WITNESS, WHEREOF, the respective parties hereto have affixed their hands
and seals the day and year aforesaid.

FOR THE COUNTY:

{Seal}

By: _____
(President - Sussex County Council)

_____ (DATE)

ATTEST:

Tracy N. Torbert
Clerk of the County Council

FOR CHRISTOPHER AT WESTBURY, LLC
By: Christopher Management Inc., its Manager

By:  _____ (Seal)
E. John Regan Jr., President

9/15/2025 (DATE)

WITNESS:



GINA A. JENNINGS, MBA, MPA
FINANCE DIRECTOR

(302) 855-7741 T
(302) 855-7749 F
gjennings@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 Lloyd
The Honorable Steve C. McCarron

FROM: Gina A. Jennings
Finance Director/Chief Operating Officer

RE: **FY 2026 Human Service Grants**

DATE: November 14, 2025

The County Council budgeted \$225,000 for its Human Service Grant program this fiscal year. This amount is consistent with previous years. Awards are granted based on a formula that includes primary location of non-profit, number of Sussex County beneficiaries served, previous year's deficit reported on tax documents, and demonstrated need. Attached is a schedule of the FY 2026 Human Service Grant recommended awardees, as well as an overview of the program. On Tuesday, I will be recommending Council to approve the grants listed for payment.

If you have any questions, please feel free to contact me.

pc: Todd F. Lawson

Name of Organization	Project	Last Year's Grant	Grant Request	Recommended Grant
American Legion Auxiliary, Department of Delaware	ALA Delaware Girls State	\$ 1,580	\$ 2,500	\$ 2,500
Autism Delaware	Family Peer Support Services		\$ 2,500	\$ 1,850
Barbara K Brooks Transition House, Inc	Barbara K Brooks Transition House	\$ 2,180	\$ 2,500	\$ 2,500
Best Buddies International, Inc.	Best Buddies Sussex County Inclusion Project	\$ 1,600	\$ 1,850	\$ 1,850
Bridgeville Senior Citizens Center Inc	Homebound Meals and Congregate Program	\$ 5,600	\$ 10,700	\$ 5,600
Calliope Project Inc.	Milton Theatre Youth Arts Programming	\$ 2,280	\$ 2,500	\$ 1,450
Cancer Support Community Delaware	Hybrid Programming for Cancer Support Community	\$ 2,650	\$ 4,000	\$ 3,900
Cape Henlopen Senior Center	Cape Henlopen Senior Center	\$ 5,600	\$ 5,600	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Georgetown	\$ 5,600	\$ 6,000	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Greenwood	\$ 5,600	\$ 6,000	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Harbour Lights Lewes	\$ 5,600	\$ 6,000	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Long Neck	\$ 5,600	\$ 6,000	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Milton	\$ 5,600	\$ 6,000	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Ocean View	\$ 5,600	\$ 6,000	\$ 5,600
CHEER, Inc.	CHEER Senior Activity Center - Roxana	\$ 5,600	\$ 6,000	\$ 5,600
Children's Beach House, Inc.	Youth Development Program		\$ 5,000	\$ 1,600
Clothing Our Kids	Clothe A Kid	\$ 2,230	\$ 3,000	\$ 1,750
Community Resource Center, Inc.	Year Round Day Shelter	\$ 2,280	\$ 10,000	\$ 1,600
Dagsboro Boys & Girls Club	Power Hour / Project Learn	\$ 2,500	\$ 5,000	\$ 2,500
Delaware Adolescent Program, Inc. (DAPI)	DAPI-Lit (Literature) Program	\$ 1,300	\$ 750	\$ 750
Delaware American Legion Foundation	The American Legion, Delaware Boys State Program	\$ 1,280	\$ 2,500	\$ 2,500
Delaware Breast Cancer Coalition, Inc.	Yes2Health	\$ 1,600	\$ 2,500	\$ 1,700
Delaware Community Reinvestment Action Council	Low Income Tax Clinic	\$ 1,680	\$ 3,000	\$ 1,450
Delaware Crime Stoppers	Delaware Crime Stoppers	\$ 1,880	\$ 5,000	\$ 3,350
Delaware HIV Services, Inc.	Michael Brossette Memorial Fund	\$ 1,500	\$ 3,000	\$ 1,900
Delaware Hospice, Inc.	New Hope	\$ 2,100	\$ 5,000	\$ 2,300
Delaware Lions Foundation, Inc.	Service Projects Matching Grants	\$ 1,680	\$ 3,000	\$ 750
Delaware Senior Games, Inc	Senior Games	\$ 500	\$ 500	\$ 500
DFRC, Inc.	Blue-Gold and Hand-in-Hand Program	\$ 2,180	\$ 5,000	\$ 1,750
Down Syndrome Association	Days of Summer Camp- Sussex County	\$ 2,600	\$ 3,500	\$ 3,200
Dry Dock Recovery, Inc.	Building Repairs	\$ 2,100	\$ 4,000	\$ 2,950
Easterseals Delaware & Maryland's Eastern Shore	Purchase of outdoor folding tables,chairs,pop-up tents	\$ 1,000	\$ 1,000	\$ 1,000
Everlasting Hope Ministries	Dream Center	\$ 1,900	\$ 5,000	\$ 3,200
Family Promise of Southern Delaware	Family Promise Prevention Program	\$ 2,280	\$ 2,500	\$ 2,500
First State Community Action Agency, Inc.	Agency Operations	\$ 1,780	\$ 5,000	\$ 2,200
Food Bank of Delaware, Inc.	Backpack Program	\$ 2,380	\$ 10,000	\$ 2,300
Friends of Sussex CASA	Enrichment Funds (for CASA's and their kids)		\$ 3,000	\$ 2,650
Georgetown Boys & Girls Club of Delaware	Power Hour / Project Learn	\$ 2,500	\$ 5,000	\$ 2,500
Green Beret Project	GBP Sussex Farm	\$ 1,280	\$ 2,500	\$ 2,500
Harry K Foundation	Halting Hunger and Food Insecurity	\$ 1,650	\$ 3,000	\$ 1,450
Housing Alliance Delaware	Sussex Housing Group	\$ 2,080	\$ 5,000	\$ 3,200
Indian River Senior Center	Program Equipment	\$ 5,600	\$ 5,600	\$ 5,600
Junior Achievement of Delaware	Economic Mobility Learning Exp. for Sussex County Students	\$ 2,380	\$ 2,385	\$ 2,385
Kent-Sussex Industries, Inc.	Music Exploration	\$ 1,600	\$ 1,500	\$ 1,500

FY 26 Human Service Grants

La Esperanza Inc.	Naturalization Services for Sussex County Immigrants	\$ 2,730	\$ 2,500	\$ 2,450
La Plaza Delaware	La Plaza Delaware	\$ 2,480	\$ 4,000	\$ 2,350
LaRed Health Center	Health Center Early Intervention Hearing Loss Program	\$ 1,980	\$ 3,000	\$ 2,900
Laurel Boys & Girls Clubs of Delaware	Power Hour / Project Learn	\$ 2,500	\$ 5,000	\$ 2,500
Laurel Senior Center, Inc.	Meal Program	\$ 5,600	\$ 8,500	\$ 5,600
Lewes Senior Citizens Center Inc.	Hope & Healing for Widows	\$ 5,600	\$ 7,000	\$ 5,600
Literacy Delaware, Inc.	Pathways to Literacy	\$ 1,880	\$ 2,500	\$ 2,300
Love INC of Mid-Delmarva	Food Program	\$ 2,700	\$ 3,000	\$ 3,000
Mid-Atlantic Symphony Orchestra	Classical Music Performances in Sussex County	\$ 2,080	\$ 2,500	\$ 2,450
Milford Housing Development Corporation	Home Repair Program	\$ 2,080	\$ 2,980	\$ 2,800
Milford Senior Center	Community Outreach Program	\$ 5,600	\$ 6,000	\$ 5,600
Milton Community Food Pantry (MCFP)	Healthy Initiative	\$ 2,400	\$ 2,000	\$ 2,000
Nanticoke River Watershed Conservancy, Inc.	Various equipment needs	\$ 2,600	\$ 2,850	\$ 2,350
Nanticoke Senior Center	Back Breezeway/Hallway Project	\$ 5,600	\$ 2,500	\$ 5,600
Neighborgood Partners, Inc.	Housing Counseling for LMI Aspiring Homeowners	\$ 1,680	\$ 3,500	\$ 1,800
New Hope Recreation and Development Center, Inc	New Hope After School Program	\$ 2,380	\$ 2,800	\$ 2,800
Oak Orchard Boys & Girls Clubs of Delaware	Power Hour / Project Learn	\$ 2,500	\$ 5,000	\$ 2,500
Primeros Pasos Early Learning Center	Early Care Education Tuition Assistance	\$ 1,900	\$ 2,600	\$ 2,100
Read Aloud Delaware	Lena Device Renewal Project	\$ 2,600	\$ 3,500	\$ 2,900
Redemption City, Inc	Redemption City	\$ 2,100	\$ 10,000	\$ 3,900
Rehoboth Beach Boys & Girls Club	Power Hour / Project Learn	\$ 2,500	\$ 5,000	\$ 2,500
Richard Allen Coalition	Outdoor Restroom	\$ 1,900	\$ 10,000	\$ 2,300
Ronald McDonald House	Housing & Support Services for Sussex County Families	\$ 2,180	\$ 2,200	\$ 1,800
Shoes That Fit	2026 Shoe Program for Sussex County	\$ 1,100	\$ 2,970	\$ 150
Southern Delaware Therapeutic Riding	Supporting Individuals with Disabilities in Sussex County	\$ 1,350	\$ 2,000	\$ 900
Speak Out Against Hate (SOAH)	Speak Out Against Hate Youth Education Programs		\$ 2,000	\$ 1,200
Sussex County Habitat for Humanity	Financial Literacy Coaching Program	\$ 2,980	\$ 10,000	\$ 3,000
Sussex County Volunteer Delaware 50+	Carewear Project	\$ 2,900	\$ 5,000	\$ 2,650
Sussex Post No. 8 The American Legion Inc.	Emergency Aid to Veterans in Sussex County		\$ 2,000	\$ 1,450
Unique Minds Changing Lives Inc.	Community Support Center	\$ 2,230	\$ 5,000	\$ 3,350
Way Home Inc.	Meeting Transportation Needs	\$ 2,200	\$ 10,000	\$ 3,400
West Side New Beginnings	West Rehoboth Children and Youth Program	\$ 1,650	\$ 3,000	\$ 2,350
Western Sussex Boys & Girls Club Seaford	Power Hour / Project Learn	\$ 2,500	\$ 5,000	\$ 2,500
What Is Your Voice, Inc.	Memorial Healing Park	\$ 2,400	\$ 2,000	\$ 2,000
YMCA of Delaware	Sussex Family YMCA's Youth in Government program	\$ 2,600	\$ 2,500	\$ 1,900
YWCA Delaware Inc.	YWCA's Sexual Assault Response Center (SARC)	\$ 2,380	\$ 2,500	\$ 1,150
		\$ 339,285		\$ 224,085

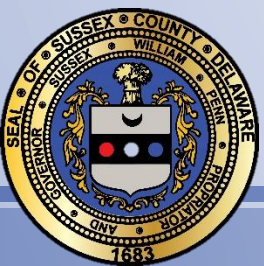
The seal of Sussex County, Delaware, is a circular emblem. The outer gold ring contains the text "OF SUSSEX COUNTY DELAWARE" at the top and "AND 1683" at the bottom. Inside this is a blue ring with "SUSSEX" on the left and "PENN" on the right. The center features a shield with a tree, a crescent moon, and stars, flanked by ornate scrollwork. Below the shield is a banner with the text "FISCAL YEAR 2026".

Sussex County Human Service Grant Program

Fiscal Year 2026

Human Service Grant Purpose

Grants to countywide non-profit agencies for the purpose of enhancing health and human services, which contribute to a safe, healthy and self-sufficient community. Funds provide grants that assist organizations with resources in support of programs or capital purchases.



Process

- Organizations submitted application online
- Finance reviewed
 - Organizations' statuses (IRS, Delaware Division of Corporation, year of formation)
 - Organization's most current 990
 - Past due County obligations
 - Scope of request
- Finance created a formula, based on number of verified beneficiaries, other financial support and financial need, to best utilize the grant funds



Formula to Distribute (Budget of \$225,000)

Sussex County Beneficiary Criteria	Base Grant Amount	Additional Amount if main operations are in Sussex County	Additional Amount if other funding is 25% or greater	Additional Amount if need is \$5,000 or greater	Additional Amount if loss on last IRS Form 990	Additional Amount if cash in bank is less than \$1 million	Maximum Grant Amount
Starting Amount	\$750	\$600	\$100	\$300	\$600	\$1,000	\$1,750
11 to 49 Beneficiaries	\$1,300						\$3,900
50 to 249 Beneficiaries	\$1,400						\$4,000
250 to 499 Beneficiaries	\$1,600						\$4,200
500 to 999 Beneficiaries	\$1,850						\$4,450
1,000 or more Beneficiaries	\$2,000						\$4,600

CHEER & Senior Centers

\$5,600

Boys and Girls Clubs

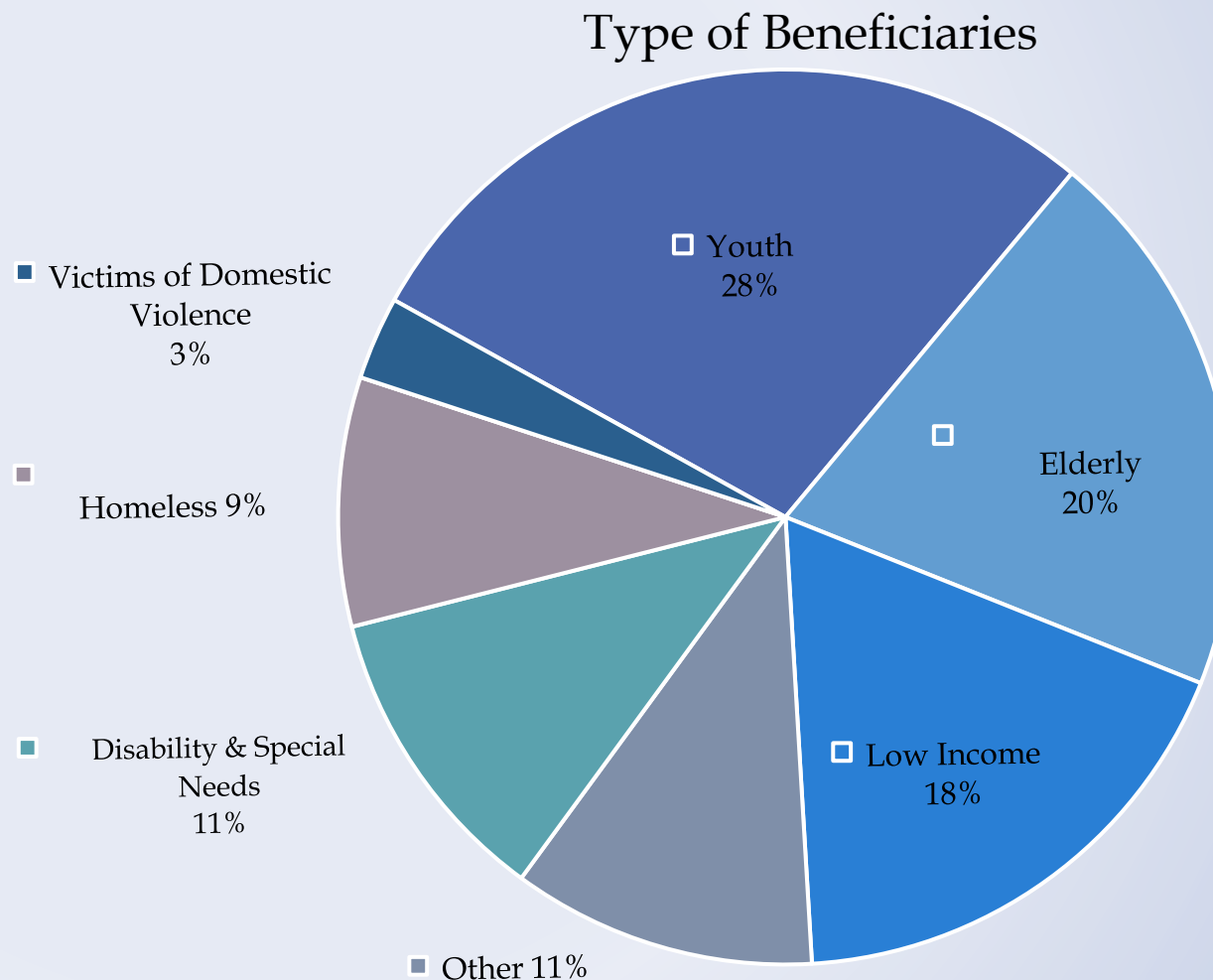
\$2,500

If another County grant was awarded within the last 12 months, 50% of the original grant, up to \$1,000, was deducted.



Application Statistics

- Received \$339,285 in requests from 80 qualified organizations
- 5 new recipients from last year
- 107,828 Sussex County beneficiaries
- Organizations raise approximately \$4.5 million in other types of support for these projects



Fiscal Year 2026 Recipients

American Legion Auxiliary	Delaware American Legion Foundation	Housing Alliance Delaware	Oak Orchard Boys & Girls Club
Autism Delaware	Delaware Breast Cancer Coalition, Inc.	Indian River Senior Center	Primeros Pasos Early Learning Center
Barbara K. Brooks Transition House Inc.	Delaware Community Reinvestment Action Council	Junior Achievement of Delaware	Read Aloud Delaware
Best Buddies International, Inc.	Delaware Crime Stoppers	Kent-Sussex Industries	Redemption City, Inc.
Bridgeville Senior Citizens Center, Inc.	Delaware HIV Services, Inc.	La Esperanza Inc.	Rehoboth Beach Boys & Girls Club
Calliope Project, Inc.	Delaware Hospice, Inc.	La Plaza Delaware	Richard Allen Coalition Inc.
Cancer Support Community Delaware	Delaware Lions Foundation, Inc.	LaRed Health Center	Ronald McDonald House
Cape Henlopen Senior Center	Delaware Senior Games	Laurel Boys & Girls Club	Shoes That Fit
CHEER, Inc. – Georgetown	DFRC, Inc.	Laurel Senior Center	Southern Delaware Therapeutic & Recreational Horseback Riding
CHEER, Inc. – Greenwood	Down Syndrome Association	Lewes Senior Center	Speak Out Against Hate (SOAH)
CHEER, Inc. – Harbour Lights (Lewes)	Dry Dock Recovery Inc.	Literacy Delaware Inc.	Sussex County Habitat for Humanity
CHEER, Inc. – Long Neck	Easterseals Delaware & Maryland’s Eastern Shore	Love INC of Mid-Delmarva	Sussex County Volunteer Delaware 50+
CHEER, Inc. – Milton	Everlasting Hope Ministries	Mid-Atlantic Symphony Orchestra	Sussex Post No. 8 The American Legion
CHEER, Inc. – Ocean View	Family Promise of Southern Delaware	Milford Housing Development Corporation	Unique Minds Changing Lives
CHEER, Inc. – Roxana	First State Community Action	Milford Senior Center	Way Home Inc.
Children’s Beach House, Inc.	Food Bank of Delaware	Milton Community Food Pantry	West Side New Beginnings
Clothing Our Kids	Friends of Sussex CASA	Nanticoke River Watershed Conservancy	Western Sussex Boys & Girls Club Seaford
Community Resource Center, Inc.	Georgetown Boys & Girls Club	Nanticoke Senior Center	What Is Your Voice, Inc.
Dagsboro Boys & Girls Club	Green Beret Project	NeighborGood Partners, Inc.	YMCA of Delaware
Delaware Adolescent Program, Inc. (DAPI)	Harry K. Foundation	New Hope Recreation & Development Center	YWCA Delaware Inc.

Motion

Be it moved that the Sussex County Council, approve the Fiscal Year 2026 Human Service Grant allocation as presented.



ENGINEERING DEPARTMENT

MIKE HARMER, P.E.
SUSSEX COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F
mike.harmer@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 Lloyd
The Honorable Steve C. McCarron

FROM: Mike Harmer, P.E., County Engineer

RE: **Piney Neck Regional Wastewater Facility Diversion Transmission System**
Sussex County Project No. S20-31
A. Approval of Phase II Service Costs

DATE: November 18, 2025

In 2019 County Council approved moving forward with the Piney Neck Regional Wastewater Facility Diversion Transmission System Project to eliminate or repurpose the Piney Neck Regional Wastewater Facility by diverting all flow to the South Coastal Regional Wastewater Facility (SCRWF). On December 10, 2024, County Council approved award of the Piney Neck Design Build Project to Garney Companies, Inc. and GHD, Inc. team and approved the Phase I Pricing Proposal for Design and Permitting based on hourly pricing not to exceed \$2,000,000.00.

The two step Design-Build process was selected in collaboration with the Engineering Department and Mrs. Gina Jennings (COO), due to complexities on our numerous DelDOT road crossings and delicate issues associated with our easement acquisitions connected to commitments required during the easement process. A Request for Qualifications (RFQ) was developed as the first step of the Quality Based Selection Process for the Design-Build procurement and established the process for soliciting and evaluating entities interested in serving as the Design-Builder for this project. On August 22, 2024, Sussex County received seven (7) RFQ submissions from design build teams. The Statement of Qualifications was reviewed and evaluated by County staff in accordance with the RFQ and as a result, the three (3) highest ranking design build teams were given the opportunity to respond to a Request for Proposal (RFP). The short-listed proposers included the following three (3) teams:

- George & Lynch, Inc. and GMB
- Garney Companies, Inc. and GHD, Inc.
- Northeast Remsco Construction, Delve Underground and Huxted Trenchless



The Request for Proposals solicited detailed proposals from the shortlisted proposers about, among other things, their ability and approach to meeting the Project's goals, including but not limited to design concepts and technical approach. The Request for Proposals also contained specific information on how the Proposals are evaluated. The Design Build Team that ranked the highest in the evaluation process was Garney Companies, Inc and GHD, Inc. Once notified, the Team was requested to provide a Pricing Proposal for the Phase I Design and Permitting Services, with the design being developed to the County's required level of completion.

The Garney and GHD Design-Build Team has progressed with design to a point where a Guaranteed Maximum Price (GMP) can be determined for construction of the Piney Neck Diversion Project, as shown in their Phase II Proposal.

The project will tie in a new force main into the existing force mains on Piney Neck Road and will run approximately 6 miles to an existing gravity manhole connection point near the existing South Coastal Regional Wastewater Facilities. The team has taken into account impacts for future flow capacities and associated additional tie-ins. They have also value engineered the project, reducing costs where possible, with an example being switching pipe thickness where possible resulting in pipe materials cost savings.

The team has provided a GMP of \$11,484,000.00 for completion of this project. We expect to have approximately \$500,000.00 of the originally approved \$2,000,000.00 remaining from Phase I to credit the project in the end, which will be brought to Council as an update as we near project completion.

The Engineering Department is requesting County Council approve the Phase II Proposal in the guaranteed maximum price of \$11,484,000.00 and to proceed with construction.

Mr. Mike Harmer, PE, County Engineer
Sussex County Engineering Department
2 The Circle
Georgetown, DE 19947

November 4, 2025

RE: Piney Neck WWTF Diversion Transmission System Progressive Design-Build Project – Phase 2 Proposal

Design-Builder's Description of Services, Cost & Schedule

The Piney Neck Wastewater Facility (PNRWF) provides public wastewater treatment to Dagsboro and Frankford, but due to the age and condition of the system, Sussex County has elected to divert all flows to the South Coastal Regional Waterwater Facility (SCRWF). This project will install a new 12" force main to tie into the two existing force mains near the PNRWF and will run approximately 6 miles to connect sewer flows to SCRWF.

Phase 2 Services

The Garney-GHD Design-Build team has developed a permit set of drawings, dated August 6, 2025, that is the basis of our Guaranteed Maximum Price (GMP). This proposal includes both the completion of design documents and the installation of approximately 30,000 LF of 12" HDPE force main via open-cut and horizontal directional drilling (HDD). This proposal include all efforts related to the construction on this project. Below is a breakdown of tasks included in Phase 2 services:

Project Management

Project management support for the construction and supervision of all field construction activities. Coordination with Sussex County and other stakeholders for scheduling and other issues that may arise. The design-build team is anticipating that we will have one pre-construction meeting, prior to the start of field activities, and monthly progress meetings between the design-build team and Sussex County.

Design Services

The design-build team will develop final Issued for Construction (IFC) documents following the receipt of approved permits for all regulatory agencies. This set will incorporate all permit reviewer comments, plan revisions, including final material selection, and final hydraulic profile and elevations of structures.

During construction, the designer will support the construction team with submittal & shop drawing review, inspection reports, and developing field orders as needed. The team has also included time for review and response to RFIs that may arise during construction.

Construction Services

The design-build team will provide all labor, equipment, and materials to complete the construction of the new force main as designed. This includes approximately 20,350 LF of open cut pipe work that will be self-performed by Garney's crews. We have partnered with Spring & Associated to complete the horizontal directional drilling installation, approximately 9,200 LF. This proposal accounts for all pipe

installation, as well as all air release valves, 13 Ea, and tie-ins to the existing system to take the Piney Neck Wastewater Treatment Facility offline.

On the east end of the project, the new force main will be tied into the existing gravity system on the west end of the project with a polymer concrete transition manhole and a small section of 15" SDR-35 to an existing manhole. The two 10" force mains that currently discharge at the Piney Neck Wastewater Facility will tie into the new force main at Piney Neck Rd following the installation and testing of the new force main.

The construction of this new force main also anticipates future connections. Included in this Phase 2 proposal is a total of six (6) valved connections to be installed for future connections to the force main. Two 4" connections are included as part of the previous easement agreements acquired by Sussex County. Four 6" connections are included to account for future force main tie-ins that Sussex County anticipates may be needed due to future development.

The design of the force main has also accounted for the impacts of these future flows. As a result of these future flows, and after the completion of the permit set, the Design-Builder has altered the design for the force main to include DR-11 HDPE for the open cut areas, while leaving the HDD areas as DR-9 to stay in compliance with the permits. By making this change the force main will operate with higher flow velocities and results in savings of approximately \$60,000, which have been incorporated into this GMP.

To support to construction of the project, the design-builder has also included a resident project representative. The design-build team will provide progress reports with photographs and inspection logs. This representative will also review and clarify questions for the construction team as well as make recommendations for field adjustments as needed.

Project Close Out

Following the completion of the new force main, the design build team will provide Sussex County with a set of as-built drawings for the project, showing any deviations from the IFC drawing set. The design-build team will work with Sussex County following substantial completion to inspect the project and develop a final punchlist as well as provide complete any final certifications to regulatory agencies that are required for permit close out.

As the Design-Builder progresses the design through permit approval and to final completion, there are several risk items that remain for the project to advance to completion. Based on these risks, the Garney-GHD design-build team is proposing a contractor contingency of \$93,000, to account for potential risk outlined in the attached risk register. There are additional risk elements to the project which the design-build team is highlighting, but propose to be held by Sussex County for contingency of \$100,000.00, if needed. The risk register in Attachment A outlines these risks for both parties.

I. Period of Service

The Design-Builder intends to receive final permit approvals by December 24, 2025. The current schedule would include mobilization to the project in January of 2026 with final completion of the project by November 30, 2026.



Legend:

- Current (Yellow box)
- Progress (Blue box)
- Critical (Red box)
- Milestones (Black diamond)
- Summary (Black line with arrow)

[illegible]

-  Current
  Progress
  Critical
  Milestones
  Summary



Name	Planned Duration	Start	Finish	2025												2026												2027												2028								
				Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb													
Install 12" HDPE via HDD (Sta 289+00 - 294+50)	15d	23-Apr-26	13-May-26																																													
Excavate Jack & Bore Pits	5d	19-Jun-26	25-Jun-26																																													
Jack and Bore 24" Casing (Sta 223+81 - 224+78)	10d	26-Jun-26	10-Jul-26																																													



II. Compensation

Compensation for the Design-Builder's services performed under this proposal shall be based upon the Fixed Fee provided below:

DESCRIPTION	QUANTITY	UNIT	UNIT PRICE
Construction of New Forcemain from Piney Neck Wastewater Treatment Facility to Gravity System near Roxanna Rd	1	LS	\$ 11,291,000.00
Contractor Contingency	1	LS	\$ 93,000.00
Owner Contingency	1	LS	\$ 100,000.00
Total			\$ 11,484,000.00

III. Clarifications & Exclusions

- a. Preconstruction Services to complete the permit approval process to be paid under phase 1 services for the design and coordination efforts
- b. Archeological Survey, if required, to be paid under the Phase 1 services allowance
- c. Cost associated with additional permanent easement acquisition to be paid by Sussex County
- d. Schedule impacts due to regulatory review and approval in excess of the period identified in part 1 "Period of Service" are not included
- e. Reimbursement to property owners for crop loss per the executed easement agreements
- f. Unused balances of both Owner and Contractor Contingencies will be returned to Sussex County as a credit at the end of the project

DEPARTMENT OF PUBLIC SAFETY

ROBERT W. MURRAY, JR.
DIRECTOR



Sussex County

DELAWARE
sussexcountype.gov

(302) 855-1000 T
(302) 855-7797 F

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

FROM: Robert Murray, Director 

RE: Award – RFP Paramedic Unit upfit

DATE: November 10, 2025

On October 10, 2025, through a Request for Proposal (RFP) we advertised an invitation to bid on the 2026 Paramedic Unit Vehicle Upfit. The RFP closed on Friday, October 24, 2025. The RFP was to upfit eight vehicles. The purchase of both the vehicles and cap are handled outside of this RFP.

The paramedic logistics team and equipment / vehicle committee spent considerable time over the last year designing the new style paramedic response vehicle which represents a transition from a suburban to a pick-up with cap.

Funding to support this initiative was approved in the FY26 budget. There were three proposals received. We thoroughly reviewed the proposals and met with the lowest bidder, Sussex Upfitters. During that meeting we identified a gap in the lighting specifications. An adjustment was made to their bid which resulted in them no longer being the low bid. A meeting was then held with the new low bid, Global Public Safety. They required a similar adjustment due to the same lighting specification gap. After reviewing the two updated bids, the lowest price was determined to be Sussex Upfitters.

We are asking to accept the proposal received from Sussex Upfitters, LLC located at 29862 Millsboro Highway, Millsboro, DE 19966.

Summary of Bids received on October 24, 2025

Vendor	Address	Cost per unit	Total cost
First Due Customs	4186 Stien Hwy, Seaford, DE	\$68,957.14*	\$551,657.12
Global Public Safety	7449 Race Rd, STE100, Hanover, MD	\$35,108.94	\$280,871.52
Sussex Upfitters	29826 Millsboro Hwy, Millsboro, DE	\$34,585.00	\$276,680.00

* A note was included to deduct \$750 per unit if they were unable to accommodate the electric locks.

Adjusted Bids received November 4, 2025

Vendor	Address	Cost per unit	Total cost
Global Public Safety	7449 Race Rd, STE100, Hanover, MD	\$40,885.43	\$327,083.44
Sussex Upfitters	29826 Millsboro Hwy, Millsboro, DE	\$39,485.00	\$315,880.00

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

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
Hans Medlarz, P.E., Manager of Special Projects

RE: ***Love Creek MHC Septic Elimination, Project S26-08***
A. Introduction of Funding Ordinance

DATE: November 18, 2025

The Sussex County Engineering Department originally received a request from Love Creek MHC LLC in Summer 2024 to annex the Love Creek Mobile Home Community (MHC), consisting of 168 homes and 10 campers, into the Sussex County Unified Sewer District for the purpose of providing County central sewer service to parcel 334-18.00-32.00.

The community is located directly adjacent to the tidal portion of Love Creek. Under the State of Delaware's promulgated Pollution Control Strategy for the Inland Bays, the areas within 1,000 feet of the water's edge were to be connected to central sewer under priority one in 2008. The Love Creek waterway has had its shell fishing halted many times in recent years due to contamination. However, no official request for central sewer service had been received for a number of years despite several outreach attempts by the County.

The Love Creek MHC is presently served by individual on-site sewer "systems" with two homes on average connected to the same system. The majority of the sewer disposal areas are very limited in size and possibly not much more than a converted cesspool. If the community is connected to a central sewer system, the environmental benefit of removing almost three (3) tons of nitrogen per year from the Inland Bays is significant and in the best interest for the health and wealth of the entire area.

On January 14, 2025 Council approved a request by the Engineering Department to prepare and post notices for a Public Hearing to be held for the annexation area per Del Code Title 9. On February 4, 2025, a Public Hearing was held outlining potential costs and an anticipated timeline for project implementation. Two smaller mobile home parks located off Love Creek and immediately adjacent to the Love Creek MHP had also expressed interest in being part of the overall sewer annexation. Following the Public Hearing, Council approved the requested



annexation of the outlined properties into the Sussex County Unified Sewer District as well as the submission of a funding request to the State of Delaware Water Pollution Control Revolving Fund (WPCRF) as administered by DNREC.

In a letter dated May 9, 2025 DNREC indicated that the project was included in the 2025 Intended Use Plan and that official loan applications would be accepted for consideration through the WPCRF. Following the County's submission of a loan application, DNREC provided a binding commitment offer on September 29, 2025 to fund the project through the WPCRF which was accepted by the County Finance Department. At this point, the Engineering and Finance Departments jointly recommend the introduction of an Ordinance authorizing the issuance of up to \$7,243,669 of general obligation bonds of Sussex County in connection with anticipated costs associated with the Love Creek MHC Septic Elimination Project, with a Public Hearing to be conducted on December 9, 2025 prior to approval of the Ordinance by County Council.



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

OFFICE OF THE SECRETARY
ENTERPRISE BUSINESS PARK
97 COMMERCE WAY, SUITE 106
DOVER, DELAWARE 19904

ENVIRONMENTAL
FINANCE

PHONE: (302) 739-9941

FAX: (302) 739-2137

September 29, 2025

Ms. Gina Jennings
Finance Director
Sussex County Council
P.O. Box 589
Georgetown, DE 19947

RE: Delaware Water Pollution Control Revolving Fund Binding Commitment Offer for
Sussex County Council ("the County") – Love Creek Mobile Home Community ("MHC")
Project

Dear Ms. Jennings:

On behalf of the Delaware Water Pollution Control Revolving Fund ("Fund"), the Delaware Department of Natural Resources and Environmental Control ("Department") is pleased to advise you that a Loan ("Loan") has been authorized from the Fund to the County in the amount of **\$7,243,669** for a term of **thirty (30) years**. The Loan will be used to finance the installation of a low-pressure sanitary sewer system for the Love Creek MHC, Lazy Pine Retreat Mobile Home Park, Dolly's Mobile Home Park, and a few individual homes fronting the tidal portion of Love Creek in Lewes. With this project, 193 homes will be taken off their existing on-site sewer disposal systems and approximately 120 total on-site treatment and disposal systems will be eliminated. The proposed collection system will consist of individual lot grinder pump stations discharging to a central small diameter force main which will then discharge to an existing gravity sewer line on the north side of Route 24, directly across from the Love Creek MHC entrance.

The loan interest rate shall be **2%**. During the disbursement period, the interest rate shall be 0%. After the Project has been completed, up to \$5,926,060 of the principal balance will be forgiven. The remaining balance will require principal and interest payments paid semi-annually in an amount sufficient to amortize the outstanding balance over thirty years.

It is understood that a General Obligation Bond from the County will secure the Loan. All legal costs, incurred by the Fund, associated with loan closing shall be borne by the County and will become a part of loan proceeds.

The Fund reserves the right to withdraw or alter the terms of this commitment if, between the date of the County's loan application and the date of the closing, the County incurs any debt or its financial condition changes in any way deemed material by the Fund at its sole discretion. Loan closing and the disbursement of funds shall remain subject to the satisfaction of any conditions established by the Fund.

The County shall comply in all respects with all applicable Fund requirements and reporting, federal laws, regulations, and other requirements related to or arising out of, or in connection with funding by the Fund. The County shall also comply in all respects with the Federal Single Audit Act, 2 CFR 200 Subpart F, as a sub-recipient of Federal funds. The Catalog of Federal Domestic Assistance (CFDA) number for the Fund is 66.458. Where noncompliance of such requirements is determined by the Fund or the Department, the issue shall be referred to the proper federal authority and/or agency for consultation and/or enforcement action.

If you have any questions concerning the foregoing, please contact this office at 302-739-9941. If you concur with the terms and conditions stated above, please acknowledge your acceptance by signing below and returning the original to this office no later than October 30, 2025.

If Loan closing shall not have occurred within 120 days of receipt of this letter, the Fund reserves the right to discontinue processing the County's application.

Sincerely,
FOR THE DELAWARE WATER POLLUTION
CONTROL REVOLVING FUND

Laura Robbins

Laura Robbins
Chief of Administration
Environmental Finance
DNREC- Office of the Secretary

By: _____
Ms. Gina Jennings
Finance Director, Sussex County

(COUNTY SEAL)

cc: Keith Kooker, DNREC EF
Emily Frederick, DNREC EF

ORDINANCE NO. [_____]

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$7,243,669 OF
GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH
THE LOVE CREEK MOBILE HOME COMMUNITY (“MHC”) PROJECT AND
AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH**

WHEREAS, pursuant to Title 9, Delaware Code, Section 7001(a) Sussex County (the “County”) has “all powers which, under the Constitution of the State, it would be competent for the General Assembly to grant by specific enumeration, and which are not denied by statute” (the “Home Rule Power”);

WHEREAS, acting pursuant to its Home Rule Power, and pursuant to Title 9, Delaware Code, Chapters 65 and 67, the County has authorized the design, construction and equipping of the Love Creek Mobile Homes Community (“MHC”) Project, which will finance the installation of a low-pressure sanitary sewer system for the Love Creek MHC, Lazy Pine Retreat Mobile Home Park, Dolly's Mobile Home Park, and a few individual homes fronting the tidal portion of Love Creek in Lewes. With this project, 193 homes will be taken off their existing on-site sewer disposal systems and approximately 120 total on-site treatment and disposal systems will be eliminated. The proposed collection system will consist of individual lot grinder pump stations discharging to a central small diameter force main which will then discharge to an existing gravity sewer line on the north side of Route 24, directly across from the Love Creek MHC entrance (collectively, the “Project”);

WHEREAS, pursuant to Title 9, Delaware Code, Section 6706, the County is authorized to issue its bonds and to pledge its full faith and credit thereto, to finance the cost of any object, program or purpose for which the County is authorized to raise, appropriate or expend money under Chapter 67 of Title 9; and

WHEREAS, acting pursuant to the aforesaid authority, the County desires to authorize the issuance of general obligations of the County to finance the costs of the Project and for the other purposes described herein.

NOW THEREFORE THE COUNTY OF SUSSEX HEREBY ORDAINS (AT LEAST FOUR FIFTHS OF THE MEMBERS OF COUNCIL CONCURRING HEREIN):

Section 1. Amount and Purpose of the Bonds. Acting pursuant to Title 9, Delaware Code, Chapters 65 and 67, Sussex County shall issue its negotiable general obligations in the maximum aggregate principal amount not to exceed \$7,243,669 (the “Bonds”) to finance or reimburse the County for a portion of the cost of the design, construction and equipping of the Project.

The monies raised from the sale of the Bonds (including the investment earnings thereon) after the payment of the costs of issuance, shall be held in one or more Project accounts and shall be expended only for the purposes authorized herein or as may otherwise be authorized by subsequent action by County Council. Authorized purposes include the costs of planning, constructing, acquiring and equipping the Project or any portion thereof; interest on the Bonds

and any interim financing during the construction period and for a period of up to one year following the estimated date of completion; the reasonable costs of issuance of the Bonds and any interim financing; the repayment of temporary loans incurred with respect to the Project; and the reimbursement of authorized costs previously expended by the County from other funds.

Section 2. Security for the Bonds. The principal, interest and premium, if any, on the Bonds may be paid by ad valorem taxes on all real property subject to taxation by the County without limitation as to rate or amount, except as limited by Title 9, Delaware Code Section 8002(c). Pursuant to Title 9, Delaware Code, Section 6706, the full faith and credit of the County is pledged to such payment. The Bonds shall contain a recital that they are issued pursuant to Title 9, Delaware Code, Chapter 67, which recital shall be conclusive evidence of their validity and of the regularity of their issuance. The Bonds are backed by the County's full faith and credit.

Section 3. Terms of the Bonds. The Bonds shall be sold at such prices and upon such other terms and conditions consistent with the provisions of this Ordinance and otherwise as the County Administrator shall determine to be in the best interests of the County. The Bonds shall bear interest at such rate or rates and shall mature in such amounts and at such times, but not exceeding thirty (30) years from the date of completion of the Project, and shall be subject to redemption, as the County Administrator shall determine.

Section 4. Sale of the Bonds. The Bonds may be issued in one or more series and shall be sold in one or more public sales or private negotiated transactions upon such terms and conditions as the County Administrator shall determine shall be in the best interest of the County. It is anticipated that the Bonds will be sold to the State of Delaware Water Pollution Control Revolving Fund (acting by and through the Delaware Department of Natural Resources and Environmental Control) (or any successor agency).

Section 5. Details of the Bonds. The County Administrator is authorized to determine the details of the Bonds including the following: the date or dates of the Bonds; provisions for either serial or term bonds; sinking fund or other reserve fund requirements; due dates of the interest thereon; the form of the Bonds; the denominations and designations of the Bonds; registration, conversion and transfer provisions; provisions for the receipt, deposit and investment of the proceeds of the Bonds; provisions for the replacement of lost, stolen, mutilated or destroyed Bonds; and provisions for issuing uncertificated obligations and all procedures appropriate for the establishment of a system of issuing uncertificated debt. The Bonds shall be executed by the manual or facsimile signature of the County Administrator, shall contain an impression of the County seal or a facsimile thereof and shall be attested by the manual signature of the County Clerk. The County Administrator shall determine the form of the Bonds.

Section 6. Debt Limit. It is hereby determined and certified, as of the effective date hereof, that the issuance of the Bonds is within the legal debt limit of the County.

Section 7. Further Action. The President of the County Council, the County Administrator, the Finance Director and the County Clerk are authorized and directed to take such other action on behalf of the County, as may be necessary or desirable to effect the adoption of this Ordinance and the issuance and sale of the Bonds and to provide for their security and to carry out the intent of this Ordinance, including the publication of notices and advertisements and the execution and delivery of customary closing certificates.

Section 8. Effective Date. This Ordinance shall become effective immediately upon its passage.

The County Clerk is hereby directed to publish a notice of the adoption hereof in accordance with Section 7002(m)(2) of Title 9 of the Delaware Code, as amended.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF
ORDINANCE NO. ____ ADOPTED ON THE ____ day of November, 2025.

SUSSEX COUNTY, DELAWARE

Tracy Torbert
Clerk of the Council

SYNOPSIS: This Ordinance provides for the issuance of up to \$7,243,669 of Sussex County General Obligation Bonds in order to finance or reimburse the County for a portion of the costs for the design, construction and equipping of the Love Creek Mobile Home Community (“MHC”) Project, which will installation of a low-pressure sanitary sewer system for the Love Creek MHC, Lazy Pine Retreat Mobile Home Park, Dolly's Mobile Home Park, and a few individual homes fronting the tidal portion of Love Creek in Lewes. With this project, 193 homes will be taken off their existing on-site sewer disposal systems and approximately 120 total on-site treatment and disposal systems will be eliminated. The proposed collection system will consist of individual lot grinder pump stations discharging to a central small diameter force main which will then discharge to an existing gravity sewer line on the north side of Route 24, directly across from the Love Creek MHC entrance (collectively, the “Project”).

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

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
Hans Medlarz, P.E., Manager of Special Projects

RE: ***New Marydels Rd, Tanglewood & Oak Acres Sewer Extension, Projects S19-19 & S22-24***
A. Introduction of Supplemental Funding Ordinance

DATE: November 18, 2025

On February 5, 2008, the Engineering Department held a public hearing before council for the Bayard Expansion of the Miller Creek Sanitary Sewer District. Residents from Tanglewood/New Marydel and Oak Acres appeared and questioned council on the possibility of their communities being included in the district boundary. The Engineering Department was tasked with collecting information from the residents and reporting back the next week. On February 12, 2008, the Engineering Department came back to council with information on the community poll. Council subsequently approved inclusion into the Sewer District only those parcels responding in New Marydel and all of Tanglewood and Oak Acres.

The turn in the economy affected the construction of infrastructure that was to be built by the developers of the Estuary to serve the overall area. Once the project began moving forward the main infrastructure became available for the Oak Acres Community. The County agreed to a cost share agreement with the developer for the pumpstation required to serve their phase 4 as well as the Oak Acres Community.

The final design package for the Oak Acres community was ultimately combined with the Tanglewood and New Marydel communities to produce a single overall Bid Package. Invitations to Bid for the combined package was subsequently advertised in the local newspaper, as well as available to view on the County website. In addition, the information was directly forwarded to several contractors. A total of six (6) contractors attended the pre-bid meeting on February 22, 2024, and on March 7, 2024, six (6) bids were received. Teal Construction, Inc. submitted the lowest responsible bid of \$1,891,891.00. At the recommendation of the Engineering Department, Council approved contract award to Teal Construction on April 9, 2024.



Due to resource scheduling issues with the Contractor, official Notice-to-Proceed wasn't issued until October 21, 2024, with construction activities starting up the following month. Over the following few months, adverse weather conditions resulted in delays to construction progression. Although the Contractor ultimately submitted a request for a time extension of six (6) Calendar Days due to inclement weather, based on a review of inspector records only three (3) days were accepted by the Owner. Based on a recommendation from the Engineering Department, on March 25, 2025 Council approved a no-cost Change Order No. 1 adding 3 Calendar Days to the Contract.

Project construction progressed over the following several months and the Substantial Completion milestone was reached on July 25, 2025. System Connection Letters were sent to all property owners in the project area on July 28th. Following this, minor punch list items were completed by the Contractor and a *Notice of Acceptability of Work* was issued on September 5th. Final balancing Change Order No. 2 includes accounting for all final quantities used during construction and results in a decrease of \$28,005.18 from the original award amount of \$1,891,891.00. An additional 42 Calendar Days were also granted due to weather delays and additional work required tied to DelDOT inspections.

On the financing side, the original State Loan amount was \$2,376,356.00 which reflected costs for Land/ROW, Legal/Admin, Engineering, Construction, Inspection, and Connection Fees. After compiling all project expenditures, it was determined that the loan amount was exceeded by \$344,960.39. The primary driver of the cost overrun was construction costs as the contract award amount was significantly greater than what was included in the budget supporting the loan request. The other components of the budget overrun were construction management fees and the County's participation in a cost share agreement that allowed the constructed sewer system to utilize an adjacent pump station built as part of a private development.

Construction management and inspection services were provided by one of the Consultants under our open-end Miscellaneous Engineering Contracts – George, Miles and Buhr (GMB). Council approved Amendment No. 1 to their Base Contract on April 9, 2024 in the amount of \$206,076.00 to provide full-time construction oversight services for this project. As a result of additional time needed to complete the project, GMB exceeded their approved budget by \$12,500.00 which is represented as Amendment No. 2.

On September 15, 2025, Council approved Amendment No. 2 to GMB's Base Contract, as well as final balancing Change Order No. 2 and project close-out for the construction project, and submission of a supplemental funding request to the State for project cost overrun.

Subsequent to Council approval and submission of the supplemental funding request, a financing binding commitment offer from the Delaware Water Pollution Control Revolving Fund was received and accepted by Sussex County on October 28, 2025. At this point, the Engineering and Finance Departments jointly recommend the introduction of an Ordinance authorizing the issuance of up to \$344,960.39 of general obligation bonds of Sussex County in connection with increased costs associated with the Tanglewood-Oak Acres Septic Elimination Project, with a Public Hearing to be conducted on December 9, 2025 prior to approval of the Ordinance.



STATE OF DELAWARE
**DEPARTMENT OF NATURAL RESOURCES AND
ENVIRONMENTAL CONTROL**

OFFICE OF THE SECRETARY
ENTERPRISE BUSINESS PARK
97 COMMERCE WAY, SUITE 106
DOVER, DELAWARE 19904

ENVIRONMENTAL
FINANCE

PHONE: (302) 739-9941

FAX: (302) 739-2137

October 27, 2025

Ms. Gina Jennings
Finance Director
Sussex County Council
P.O. Box 589
Georgetown, DE 19947

RE: Delaware Water Pollution Control Revolving Fund Binding Commitment Offer for
Sussex County Council ("the County") – Supplemental Tanglewood-Oak Acres Septic
Elimination Project

Dear Ms. Jennings:

On behalf of the Delaware Water Pollution Control Revolving Fund ("Fund"), the Delaware Department of Natural Resources and Environmental Control ("Department") is pleased to advise you that a Loan ("Loan") has been authorized from the Fund to the County in the amount of **\$344,960.39** for the existing term of the original loan. The Loan will be used to finance the construction budget shortfall and additional engineering services associated with the original project for the connection of 77 lots to the nearby existing County sewer located in the Tanglewood and Oak Acres communities.

The loan interest rate shall be 2%. During the disbursement period, the interest rate shall be 0%. After the Project has been completed, up to \$344,960.39 of the principal balance will be forgiven. Should the project not be completed, the principal balance will be amortized over the remaining term of the original loan until April 1, 2054, such date being the final maturity date of the original loan.

It is understood that a General Obligation Bond from the County will secure the Loan. All legal costs, incurred by the Fund, associated with loan closing shall be borne by the County and will become a part of loan proceeds.

October 27, 2025

WPCRF Binding Commitment Letter

Sussex County– Supplemental Tanglewood-Oak Acres Project

Page | 2

The Fund reserves the right to withdraw or alter the terms of this commitment if, between the date of the County's loan application and the date of the closing, the County incurs any debt or its financial condition changes in any way deemed material by the Fund at its sole discretion. Loan closing and the disbursement of funds shall remain subject to the satisfaction of any conditions established by the Fund.

The County shall comply in all respects with all applicable Fund requirements and reporting, federal laws, regulations, and other requirements related to or arising out of, or in connection with funding by the Fund. The County shall also comply in all respects with the Federal Single Audit Act, 2 CFR 200 Subpart F, as a sub-recipient of Federal funds. The Catalog of Federal Domestic Assistance (CFDA) number for the Fund is 66.458. Where noncompliance of such requirements is determined by the Fund or the Department, the issue shall be referred to the proper federal authority and/or agency for consultation and/or enforcement action.

If you have any questions concerning the foregoing, please contact this office at 302-739-9941. If you concur with the terms and conditions stated above, please acknowledge your acceptance by signing below and returning the original to this office no later than November 27, 2025.

If Loan closing shall not have occurred within 120 days of receipt of this letter, the Fund reserves the right to discontinue processing the County's application.

Sincerely,

FOR THE DELAWARE WATER POLLUTION
CONTROL REVOLVING FUND

Laura Robbins

Laura Robbins
Chief of Administration
Environmental Finance
DNREC- Office of the Secretary

The foregoing terms and conditions are hereby acknowledged and accepted this 28 day of October, 2025.

By:

Gina Jennings

Ms. Gina Jennings
Finance Director, Sussex County

(COUNTY SEAL)

cc: Keith Kooker, DNREC EF

ORDINANCE NO. _____

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$344,960.39 OF
GENERAL OBLIGATION BOND OF SUSSEX COUNTY IN CONNECTION WITH
INCREASED COSTS ASSOCIATED WITH THE TANGLEWOOD-OAK ACRES
SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY
ACTIONS IN CONNECTION THEREWITH**

WHEREAS, pursuant to Title 9, Delaware Code, Section 7001(a) Sussex County (the “County”) has “all powers which, under the Constitution of the State, it would be competent for the General Assembly to grant by specific enumeration, and which are not denied by statute” (the “Home Rule Power”);

WHEREAS, acting pursuant to its Home Rule Power, and pursuant to Title 9, Delaware Code, Chapters 65 and 67, the County has authorized the design, construction and equipping of the Oak Acres And Tanglewood Septic Elimination Project, which will finance the connection of the Tanglewood and Oak Acres communities to the nearby existing County sanitary sewer by installing gravity main and lot laterals (collectively, the “Project”);

WHEREAS, pursuant to Title 9, Delaware Code, Section 6706, the County is authorized to issue its bond and to pledge its full faith and credit thereto, to finance the cost of any object, program or purpose for which the County is authorized to raise, appropriate or expend money under Chapter 67 of Title 9;

WHEREAS, pursuant to Ordinance No. 2836 adopted on March 1, 2022, the County authorized the issuance of its General Obligation Bond in the maximum principal amount of up to \$2,376,356 for the Project;

WHEREAS, the County previously issued its General Obligation Bond (Oak Acres and Tanglewood Septic Elimination Project), Series 2022B-SRF in the maximum aggregate principal amount of up to \$2,376,356 (the “2022B Bond”) on March 24, 2022 to secure a loan from the Delaware Department of Natural Resources and Environmental Control (acting by and through the Delaware Water Pollution Control Revolving Fund) (“DNREC”) to fund the Project;

WHEREAS, the County requires additional funding due to increases costs for the Project and desires to accept a supplemental loan in the amount of \$344,960.39 from DNREC to fund the increased costs of the Project; and

WHEREAS, acting pursuant to the aforesaid authority, the County desires to authorize the issuance of general obligations of the County to finance the increased costs of the Project and for the other purposes described herein.

NOW THEREFORE THE COUNTY OF SUSSEX HEREBY ORDAINS (AT LEAST FOUR FIFTHS OF THE MEMBERS OF COUNCIL CONCURRING HEREIN):

Section 1. Amount and Purpose of the Bond. Acting pursuant to Title 9, Delaware Code, Chapters 65 and 67, Sussex County shall issue its negotiable general obligations in the

maximum aggregate principal amount not to exceed \$344,960.39 (the “Bond”) to finance or reimburse the County for the construction budget shortfall and additional engineering services associated with the original project for the connection of 77 lots to the nearby existing County sewer located in the Tanglewood and Oak Acres communities, with the expectation that up to \$344,960.39 of principal forgiveness will be applied to the Bond, resulting in a total forgiveness of \$1,876,960.39 with respect to the 2022B Bond and the Bond to reduce the combined principal amount of the 2022B Bond and the Bond outstanding to \$844,356 upon Project completion.

The monies raised from the sale of the Bond (including the investment earnings thereon) after the payment of the costs of issuance, shall be held in one or more Project accounts and shall be expended only for the purposes authorized herein or as may otherwise be authorized by subsequent action by County Council. Authorized purposes include the costs of planning, constructing, acquiring and equipping the Project or any portion thereof; interest on the Bond and any interim financing during the construction period and for a period of up to one year following the estimated date of completion; the reasonable costs of issuance of the Bond and any interim financing; the repayment of temporary loans incurred with respect to the Project; and the reimbursement of authorized costs previously expended by the County from other funds.

Section 2. Security for the Bond. The principal, interest and premium, if any, on the Bond may be paid by ad valorem taxes on all real property subject to taxation by the County without limitation as to rate or amount, except as limited by Title 9, Delaware Code Section 8002 (c). Pursuant to Title 9, Delaware Code, Section 6706, the full faith and credit of the County is pledged to such payment. The Bond shall contain a recital that it is issued pursuant to Title 9, Delaware Code, Chapter 67, which recital shall be conclusive evidence of its validity and of the regularity of its issuance. While the Bond is backed by the County’s full faith and credit, it is expected that the debt service will be paid from revenues of the Subdivision.

Section 3. Terms of the Bond. The Bond shall be sold at such price and upon such other terms and conditions consistent with the provisions of this Ordinance and otherwise as the County Administrator shall determine to be in the best interests of the County. The Bond shall bear interest at such rate and shall mature in such amount and at such times, but not exceeding thirty (30) years from the date of completion of the Project, and shall be subject to redemption, as the County Administrator shall determine.

Section 4. Sale of the Bond. The Bond may be issued in one or more series and shall be sold in one or more public sales or private negotiated transactions upon such terms and conditions as the County Administrator shall determine shall be in the best interest of the County. It is anticipated that the Bond will be sold to the DNREC (or any successor agency).

Section 5. Details of the Bond. The County Administrator is authorized to determine the details of the Bond including the following: the date or dates of the Bond; provisions for either serial or term bond; sinking fund or other reserve fund requirements; due dates of the interest thereon; the form of the Bond; the denomination and designation of the Bond; registration, conversion and transfer provisions; provisions for the receipt, deposit and investment of the proceeds of the Bond; provisions for the replacement of lost, stolen, mutilated or destroyed Bond; and provisions for issuing uncertificated obligations and all procedures appropriate for the establishment of a system of issuing uncertificated debt. The Bond shall be executed by the manual

or facsimile signature of the County Administrator, shall contain an impression of the County seal or a facsimile thereof and shall be attested by the manual signature of the County Clerk. The County Administrator shall determine the form of the Bond.

Section 6. Debt Limit. It is hereby determined and certified, as of the effective date hereof, that the issuance of the Bond is within the legal debt limit of the County.

Section 7. Further Action. The President of the County Council, the County Administrator, the Finance Director and the County Clerk are authorized and directed to take such other action on behalf of the County, as may be necessary or desirable to effect the adoption of this Ordinance and the issuance and sale of the Bond and to provide for its security and to carry out the intent of this Ordinance, including the publication of notices and advertisements and the execution and delivery of customary closing certificates.

Section 8. Effective Date. This Ordinance shall become effective immediately upon its passage.

The County Clerk is hereby directed to publish a notice of the adoption hereof in accordance with Section 7002(m)(2) of Title 9 of the Delaware Code, as amended.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF
ORDINANCE NO. ____ ADOPTED ON THE ____ day of November, 2025.

SUSSEX COUNTY, DELAWARE

Tracy N. Torbert
Clerk of the Council

SYNOPSIS: This Ordinance provides for the issuance of up to \$344,960.39 of Sussex County General Obligation Bond – Supplemental in order to finance or reimburse the County for the construction budget shortfall and additional engineering services associated with the original project for the connection of 77 lots to the nearby existing County sewer located in the Tanglewood and Oak Acres communities (collectively, the “Project”), with the expectation that up to \$344,960.39 of principal forgiveness will be applied to the Bond, resulting in a total forgiveness of \$1,876,960.39 with respect to the 2022B Bond and the Bond to reduce the combined principal amount of the 2022B Bond and the Bond outstanding to \$844,356 upon Project completion.

ENGINEERING DEPARTMENT

MIKE HARMER, P.E.
SUSSEX COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F
mike.harmer@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 Matthew R. Lloyd
The Honorable Steve C. McCarron

FROM: Hans Medlarz, P.E., Project Engineer

RE: ***SCRWF Treatment Process Upgrade No.3***
A. GHD Amendment No. 30 – Continued Project Closeout Support
B. BW Electric – Purchase Order Issuance for County Requested Scope Items

DATE: November 18, 2025

GHD, Inc., held the County's engineering services contract associated with the SCRWF since December 7, 2001. They also held the City of Rehoboth Beach's engineering services contract associated since 2000. Council reaffirmed GHD as the "Engineer of Record" South Coastal in 2016 and again on May 14, 2019, at which time Council also included professional services associated with the City's Wastewater Treatment Plant. Since contract inception, Sussex County has awarded twenty-nine (29) amendments under this base contract.

Amendments 11 - 13 were associated with South Coastal's RWF Treatment Process Upgrade No.3 design phase. The 11th Amendment covering planning and conceptual design was approved by Council on October 25, 2016, and used in the 2018 budgeting process. The 12th Amendment was approved August 22, 2017, for development of construction documents excluding any construction phase services. Lastly, on July 11, 2017, Council awarded the 13th one for electrical value engineering design and constructability reviews.

Amendments 14 - 18 were associated with the Rehoboth Beach's Wastewater Treatment Plant and the County's flow diversion. On July 24, 2018, Council approved the 14th for design services of the Phase 2 capital upgrade project. On October 2, 2018, Council approved the 15th for design services associated with the wastewater transmission line crossing of the Lewes-Rehoboth Canal allowing Pump Station No. 202 to be diverted to the City's treatment plant. On February 5, 2019 Council approved the 16th Amendment incorporating scope changes to the electrical motor control center design scope, as part of the City's WTP Phase 2 project. On



March 26, 2019, Council approved the 17th Amendment for a flow diversion of Pump Station No. 204 to the gravity sewer on the opposite side of SR-1 and ultimately to the City's plant. On June 4, 2019, Council approved the 18th for the design of the headworks improvements under an expanded scope of the Phase 2 project.

On June 18, 2019, Council approved the 19th Amendment covering development of South Coastal bid alternates associated mostly with the influent forcemains, the fiber optic network and the pre-cast concrete construction. The consolidation of thirteen (13) influent forcemains outside of the South Coastal plant headworks into two (2) eliminated a complex cast-in-place concrete riser box expansion offering overall construction cost savings. In summary, award of the amendments associated with the various design aspects of the SCRWF and the City's WTP totaled \$3,437,247.32.

On February 4, 2020 Council approved award of construction phase and inspection services to GHD, Inc under the 20th Amendment in the amount of \$6,589,558.49, 2020. In addition to professional services, it included a significant 3rd party material testing allowance.

Merging the timelines for both projects allowed the total compensation of the professional services to be initially held at 15% of the overall project construction costs well within the customary professional services range for a highly complex project.

However, the pandemic with the associated supply chain interruptions caused project delays outside of the control of either the contractors or the consulting engineers. The construction has exceeded the original contract times continuing through the fall of 2024 and subsequently exhausting GHD's original construction management and inspection budget. As a result, the Engineering Department requested the 24th Amendment for extended construction management, inspection, and programming services supporting the project based on historical cost per month. On February 13, 2024, Council approved GHD's 24th Amendment in the amount of \$900,00.00 for the extension of construction services through September of 2024.

At the time the 24th Amendment was issued, the schedule for remaining construction was not known and substantial completion for the general construction part was not granted until December of 2024 with punch list work still ongoing on the electrical side exhausting GHD's budget. Subsequently County Council approved GHD's 27th Amendment in the amount of \$350,000.00 on September 24, 2024 for engineering services mostly associated with on-site representation due to the construction time extensions, programming and equipment startup.

The equipment integration for several process areas was not fully available to GHD (BB1, RSB1, Headworks, Equalization, Filtration) in early 2025 and hence required continued process and programming support. Therefore, County Council approved GHD's 29th Amendment on February 4, 2025, in the amount of \$468,000.00.

In mid-summer 2025 GHD exhausted all Council approved funding for construction phase services at the South Coastal RWF Treatment Process Upgrade No.3 Project. However, they continued providing limited services until a resolution could be reached. The reasons for the cost increases on this six (6) year plus project are multi-faceted starting with issues beyond GHD's control such as pandemic related time delays, numerous unknown site conditions as well as owner requested scope changes. However, other issues were within GHD's control

and recognizing the excellent partnership, GHD significantly reduced their rates through project completion and agreed to a final “Not to Exceed” amount regardless of actual hours spent unless the County requests more changes.

The concession to only charge for direct hourly technical staff engaged on the project, plus 50% of the approved contractual overhead, subconsultant expenses at cost and neither expenses nor profit saved the County over \$325,000.00. The remaining effort is concentrated on process control, equipment logic integration services, programming and functionality testing provided by highly specialized engineering team members. The development of low-level punch lists and undertaking associated re-inspections will be assumed by county staff. GHD’s anticipated support effort also includes the County requested electrical RFPs-125, 127, 128, 130, 131 & 132.

In summary, the Engineering and Finance Departments recommend approval of GHD’s 30th Amendment in the not to exceed amount of \$484,833.00.

The South Coastal RWF Treatment Process Upgrade No.3 was designed and bid in conjunction with the Rehoboth Beach WTP Capital Improvement Program, Phase 2 under a dual prime contractor approach.

The **General Construction Project C19-11** was awarded on December 17, 2019, to M.F. Ronca & Sons, Inc. Since then, County Council authorized a series of change orders, granted Substantial Project Completion for the Rehoboth Beach WTP Capital Improvement Program, Phase 2 on November 14, 2022 and on December 10, 2024 for the South Coastal WRF Treatment Process Upgrade No.3 together with the balancing change orders 36.1 & 36.2.

In the original South Coastal project Environmental Services initiated RFP-039 addressing modifications to two influent slide gates and tray rehabilitation work in the two existing grit tanks. On June 22, 2021, Council approved Change Order No. 11 in the aggregate amount of \$59,557.16. Environmental Services since then brought to the Department’s attention the compromised state of the entire GritSnail compaction and auger system originally installed in 2008. Therefore, M.F. Ronca was asked to submit a replacement proposal considering the previous modifications and on September 23, 2025 Council approved a direct purchase order to M.F. Ronca & Sons in the amount of \$559,500.00 based on condition encountered.

The **Electrical Construction Project C19-17** was awarded December 17, 2019, to BW Electric Inc. Since then, County Council authorized a series of change orders, granted Substantial Project Completion for the Rehoboth Beach WTP Capital Improvement Program, Phase 2 on November 14, 2022 and on March 21, 2025 for the South Coastal WRF Treatment Process Upgrade No.3 together with the balancing Change Order No. 29.

Similar to the general construction side, Environmental Services initiated a number of scope changes on the electrical side after substantial completion was granted. RFP-125 is seeking an uninterrupted power supply for the aeration system control system. This is independent of the possible control system modification based on the manufacturer standard control approach. RFP-127 deals with a full replacement of the scum pump control scheme which was not part of the original contract. RFP-128 requests digital power metering for the administration

building. RFP-130 is associated with the replacement of the originally specified digital motor circuit protectors with thermo-magnetic ones. The final count is still in flux the request covers all devices with a unit price deduction. RFP-131 requests an ultrasonic lever sensor in the headworks allowing the tracking of the diverted flow to the equalization tanks. RFP-132 seeks to establish a permanent power feed to the temporarily relocated lagoon sludge mixers. BW Electric, Inc. priced all the requested RFPs in the aggregate amount of \$220,770.20 with a unit cost deduct of \$1,250 per motor circuit breaker.

In summary, the Engineering Department recommends issuing a direct purchase order in the amount of \$ 220,770.20 to BW Electric, Inc. to implement RFPs-125, 127, 128, 130, 131 & 132 with the unit cost deduction of \$1,250 per breaker not replaced.

SOUTH COASTAL REGIONAL WASTEWATER FACILITIES

SUSSEX COUNTY, DELAWARE

CONTRACT AMENDMENT NO. 30

This contract amendment, **Contract Amendment No. 30** dated _____, **2025** amends our original contract dated December 7, 2001, between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and GHD Inc., a State of Maryland Corporation, hereinafter referred to as CONSULTANT, whose address is 16701 Melford Boulevard, Suite 221, Bowie, Maryland 20715. Except as specifically amended herein, the provisions of the Original Contract dated December 7, 2001, as thereafter amended, remain in effect and fully valid.

By execution of this Amendment, the following sections are hereby added as new sections to the Original Contract, as respectfully numbered below.

ARTICLE FOUR

FEE STRUCTURE

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 29** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated December 7, 2001.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Extension of Construction Engineering Services for the SCRWF Treatment Upgrade No. 3** as set forth in **Attachment A**, which is attached hereto and incorporated by reference, shall not exceed **Four Hundred Eight-Four Thousand Eight Hundred Thirty-Three dollars (\$484,833.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

ARTICLE FOURTEEN

INCORPORATED DOCUMENTS

- 14.2 **Attachment A: Consultant's Scope of Services, Extension of Construction Engineering Services for the SCRWF Treatment Upgrade No. 3. (Contract Amendment No. 30).**

By execution of this Agreement, the following sections are amended as set forth below:

- 2.4 The CONSULTANT shall perform the Scope of Services attached hereto as Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment A.
- 4.3 The COUNTY shall pay the CONSULTANT for the satisfactory completion of the Scope of Services specified herein before in Attachment A and all additional Scopes of Services as may be set forth in consecutively numbered subsets of Attachment, based on and limited to the following method of determination....”

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. **30** to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:
SUSSEX COUNTY

President, Sussex County Council

PREVIOUSLY APPROVED FORM

Date

ATTEST:

Clerk of the Sussex County Council

FOR THE CONSULTANT:

GHD Inc.



Vince Maillard, P.E.

WITNESS:



16701 Melford Boulevard, Suite 221
Bowie, Maryland 20715
United States
ghd.com



Attachment A

Your ref:
Our ref: 11209168

November 10, 2025

Hans Medlarz P.E.
Sussex County
2 The Circle
Georgetown, DE 19947

Construction Phase Engineering Services Extension Proposal for the SCRWF Treatment Upgrade No. 3

Dear Mr. Medlarz

GHD is pleased to submit this proposal for ongoing Construction Phase Engineering Services for the South Coastal Regional Wastewater Facilities Treatment Upgrade No. 3 project.

Scope of Services

Construction of the South Coastal Regional Wastewater Facilities Treatment Upgrade No. 3 is substantially complete, but GHD has a continuous role at the site for mostly ongoing electrical, process testing and integration support.

Engineering Fee

GHD recognizes the excellent partnership with Sussex County to date and offers significantly reduced rates to demonstrate our commitment to project completion. GHD proposes to provide engineering services based on direct hourly payroll costs paid to technical staff engaged on the project, plus 50% of overhead and fringe benefit costs (equating to 0.915 times actual payroll costs billed), plus subconsultant expenses at cost, with neither expenses nor fixed fee. Total cost shall not exceed the following:

Description	Cost
Construction Phase Services	\$484,833.00

Please let us know if you have any questions or comments regarding this proposal.

Regards

A handwritten signature in blue ink, appearing to read "S. Clark", is positioned above the printed name of Steven Clark.

Steven Clark
Project Manager

443-875-5061
steven.clark@ghd.com



15342 S. DuPont Hwy
Harrington DE 19952

Bryon Warren
President
302-270-5719

Office: 302.566.6248
Fax: 302.566.6251

Email(s):
office@bwelectricinc.com
estimates@bwelectricinc.com

November 11, 2025

Subject: Pricing for multiple RFPs

Dear Hans Medlarz,

Our price to perform the electrical work associated with the above project is based on our site knowledge and RFPs 125, 127, 128, 130, 131, & 132. Our price **does not** include the use of Prevailing Wages. Our pricing is **\$220,770.20**.

1. Supply and install the materials and labor for the RFPs listed above.
2. Micro-Tech Design(MTD) to provide their services for the RFPs listed above.
3. Provide labor forces to assist GHD in testing

Exclusions

1. **No Bond.**
2. No permit fees.
3. No cutting.
4. No patching or painting.
5. No liquidated damages.

This price is good for thirty (30) days only.

Sincerely,

Jason R. Walters
B. W. Electric, Inc.
JRW/

B. W. Electric, Inc. shall not be liable for damages for delays in performance due to circumstances beyond its reasonable control, including without limitation, fire, floods, storms, or other acts of God, accidents, shortage of materials, and lack of transportation for similar reasons such as COVID-19 etc.

**Micro-Tech Designs**

4312 Black Rock Rd., Suite 1
Hampstead, MD 21074-2641
Phone (410) 239-2885
Fax (410) 239-3736

QUOTE*We're In Control*

November 10, 2025

Mr. Jason Walters
BW Electric, Inc.
15342 S. DuPont Highway
Harrington, DE 19952
(302) 566-6248
fax: (302) 566-6251

Re.: SCRWF Upgrade No.3 & RBWWTP

Dear Mr. Walters,

We are pleased to quote on the following scope of work for the above project:

RFP-127 Provide Floats, Level Transmitter, Scum Pump MSCP, Startup
RFP-131 Provide onsite labor for startup, Calibration, Point to Point testing.

Lot Price \$35,007.00

Applicable tariffs and taxes are not included

The above quotation is valid for 30 days

Micro-Tech Designs, Inc. (MTD) shall not be responsible for any failure to perform, or delay in performance of our obligations resulting from the Covid-19 pandemic or any future epidemic, or any resulting supply chain issues, and the customer/end user shall not be entitled to any damages resulting thereof.

Quotation assumes NET 30 payment terms with payment by check. EFT, ACH and Credit Card payments are subject to approval prior to order acceptance. Credit Card payments will be subject to a surcharge of up to 7%. If there are any questions concerning the above, please contact me. I look forward to working with you and your staff on this and future projects.

Sincerely,
Micro-Tech Designs

Wes Martin Jr.

251 ASAPHS ROAD SUITE 600
BALA CYNWYD PA 19004-3481
Phone: 215-218-2500
Fax: 215-389-3097

To: BW ELECTRIC
15342 S DUPONT HWY
HARRINGTON DE 19952-3114
Attn: Jason Walters
Phone: 302-566-6248
Email: office@bwelectricinc.com
Fax: 302-566-6251

Date: 11/11/2025
Project Name: SCRWF/RBWWTP BRKRS
GB Quote #: 2001019494
Purchase Order Nbr:
Release Nbr:
Additional Ref#:
Revision Nbr:
Valid From: 11/11/2025
Valid To: 12/11/2025
Contact: Keith J Anderson
Email: keith.anderson@graybar.com

Proposal

We appreciate your request and take pleasure in responding as follows

Notes: Material will be held up to 30 days ARO. After that, storage charges will apply.

	Item	ItemType	Quantity	Supplier	Catalog Nbr	Description	Price	Unit	Ext.Price
	100		26	SQUARE D CO.	HJL36015	MOLDED CASE CIRCUIT BREAKER 600V 15A	\$1,034.12	1	\$26,887.12
	GB Part#: 25049774 MFR SPEC SHEET Long Description: PowerPact™ unit mount 15A, 600 Vac/250 Vdc, 3-pole thermal magnetic molded case circuit breaker with H-frame and 25kA interrupting rating.								
	200		2	SQUARE D CO.	HJL36020	MOLDED CASE CIRCUIT BREAKER 600V 20A	\$1,034.12	1	\$2,068.24
	GB Part#: 25049775 MFR SPEC SHEET Long Description: PowerPact™ unit mount 15A, 600 Vac/250 Vdc, 3-pole thermal magnetic molded case circuit breaker with H-frame and 25kA interrupting rating.								
	300		8	SQUARE D CO.	HJL36025	MOLDED CASE CIRCUIT BREAKER 600V 25A	\$1,034.12	1	\$8,272.96
	GB Part#: 25049776 MFR SPEC SHEET								

This equipment and associated installation charges may be financed for a low monthly payment through Graybar Financial Services (subject to credit approval). For more information call 1-800-241-7408 to speak with a leasing specialist.

Subject to the standard terms and conditions set forth in this document. Unless otherwise noted, freight terms are F.O.B. shipping point prepaid and bill. Unless noted the estimated ship date will be determined at the time of order placement.

To: BW ELECTRIC
15342 S DUPONT HWY
HARRINGTON DE 19952-3114
Attn: Jason Walters

Date: 11/11/2025
Project Name: SCRWF/RBWWTP BRKRS
GB Quote #: 2001019494

Proposal

We appreciate your request and take pleasure in responding as follows

	Item	ItemType	Quantity	Supplier	Catalog Nbr	Description	Price	Unit	Ext.Price
	400		2	SQUARE D CO.	HJL36035	MOLDED CASE CIRCUIT BREAKER 600V 35A	\$1,034.12	1	\$2,068.24
GB Part#:25049778 MFR SPEC SHEET									
	500		3	SQUARE D CO.	HJL36040	MOLDED CASE CIRCUIT BREAKER 600V 40A	\$1,034.12	1	\$3,102.36
GB Part#:25049644 MFR SPEC SHEET									

Total in USD (Tax not included): \$42,398.92

This equipment and associated installation charges may be financed for a low monthly payment through Graybar Financial Services (subject to credit approval). For more information call 1-800-241-7408 to speak with a leasing specialist.

Subject to the standard terms and conditions set forth in this document. Unless otherwise noted, freight terms are F.O.B. shipping point prepaid and bill. Unless noted the estimated ship date will be determined at the time of order placement.

To: BW ELECTRIC
15342 S DUPONT HWY
HARRINGTON DE 19952-3114
Attn: Jason Walters

Date: 11/11/2025
Project Name: SCRWF/RBWWTP BRKRS
GB Quote #: 2001019494

Proposal

We appreciate your request and take pleasure in responding as follows

Item	ItemType	Quantity	Supplier	Catalog Nbr	Description	Price	Unit	Ext.Price
------	----------	----------	----------	-------------	-------------	-------	------	-----------

GRAYBAR ELECTRIC COMPANY, INC.

TERMS AND CONDITIONS OF SALE

1.ACCEPTANCE OF ORDER; TERMINATION - Acceptance of any order is subject to credit approval and acceptance of order by Graybar Electric Company, Inc. ("Graybar") and, when applicable, Graybar's suppliers. If credit of the buyer of the goods or services ("Buyer") becomes unsatisfactory to Graybar, Graybar reserves the right to terminate upon notice to Buyer and without liability of Graybar.

2.GENERAL PROVISIONS - All typographical or clerical errors made by Graybar in any quotation, acknowledgment or publication are subject to correction. This agreement shall be governed by the laws of the State of Missouri applicable to contracts to be formed and fully performed within the State of Missouri, without giving effect to the choice or conflicts of law provisions thereof. All suits arising from or concerning this agreement shall be filed in the Circuit Court of St. Louis County, Missouri, or the United States District Court for the Eastern District of Missouri, and no other place unless otherwise determined in Graybar's sole discretion. Buyer hereby irrevocably consents to the jurisdiction of such court or courts and agrees to appear in any such action upon written notice thereof.

3.MODIFICATION OF TERMS AND CONDITIONS - These terms and conditions, and any associated statement of work, supersede all other communications, negotiations, and prior oral or written statements regarding the subject matter of these terms and conditions. No change, modification, rescission, discharge, abandonment, or waiver of these terms and conditions shall be binding upon Graybar unless made in writing and signed on its behalf by a duly authorized representative of Graybar. No conditions, usage of trade, course of dealing or performance, understanding or agreement, purporting to modify, vary, explain, or supplement these terms and conditions shall be binding unless hereafter made in writing and signed by the party to be bound. Any proposed modifications or additional terms are specifically rejected and deemed a material alteration hereof. If this document shall be deemed an acceptance of a prior offer by Buyer, such acceptance is expressly conditional upon Buyer's assent to any additional or different terms set forth herein.

4.PRICES AND SHIPMENTS - Prices for goods shall be those in effect at time of shipment, which shall be made F.O.B. shipping point, prepaid and bill. Delivery dates are subject to change and prices may increase between the time that a quote is given or an order is placed and the time of shipment. Buyer acknowledges and accepts this risk and agrees to pay the price of goods that is in effect at time of shipment in order to account for any price increases between the date of quote or order and the date of shipment. Unless otherwise indicated in the applicable quotation or statement of work, prices for services shall be those in effect at the time of completion. The contract price for goods and or services shall be increased by the amount of any applicable tariff, excise, fee, assessment, levy, charge or duty of any kind whatsoever, imposed, assessed or collected by any governmental body, whether or not reflected in the costs charged to Graybar, and Graybar may increase its cost for goods and or services appropriately to take into account such increases in Graybar's costs.

5.REELS - When Graybar ships returnable reels, a reel deposit may be included in the invoice. The Buyer should contact the nearest Graybar service location to return reels.

6.RETURN OF GOODS - Credit may be allowed for goods returned with prior approval. A deduction may be made from credits issued to cover cost of handling and restocking fees charged by the manufacturers of the goods. Returns will not be accepted for services or any material which has been modified at the request of or by Buyer. In addition, no custom orders may be returned, and goods must be in original packaging.

7.TAXES - Prices shown do not include sales or other taxes imposed on the sale of goods or services. Taxes now or hereafter imposed upon sales, shipments or services will be added to the purchase price. Buyer agrees to reimburse Graybar for any such tax or provide Graybar with acceptable tax exemption certificate.

8.PAYMENT TERMS - Payment terms shall be as stated on Graybar's invoice or as otherwise mutually agreed. As a condition of the sales agreement, a monthly service charge of the lesser of one and one-half percent (1.5%) or the maximum permitted by law may be added to all accounts not paid by net due date. Visa, MasterCard, American Express, and Discover credit cards are accepted at point of purchase only.

9.DELAY IN DELIVERY - Graybar is not to be accountable for delays in delivery occasioned by acts of God, failure of its suppliers to ship or deliver on time, or other circumstances beyond Graybar's reasonable control, including, but not limited to, sourcing, shipment or delivery issues caused by, related to, or resulting from COVID-19 or other similar national or global health situations. Factory shipment or delivery dates are the best estimates of our suppliers, and in no case shall Graybar be liable for any consequential or special damages arising from any delay in shipment or delivery.

10.CANCELLATION; CHANGES FOR SERVICES- Buyer may cancel or make changes to a statement of work up to five (5) business days prior to commencement of the work. All changes and cancellations after such date are subject to Graybar's prior written approval in Graybar's sole and absolute discretion. Buyer shall pay to Graybar amounts necessary to cover cancellation, restocking fees and other charges applicable to the cancelled goods or services including those incurred or committed to by Graybar.

11.SOFTWARE AND FIRMWARE - -Graybar or the applicable third-party owner will retain all rights of ownership and title in its own intellectual property, including all copyrights relating to firmware and software and all copies of such firmware and software. Buyer acknowledges that all software is governed by terms expressly granted in the applicable agreement provided by such third-party owner or licensor and agrees to comply with any such terms and conditions in connection with the use or resale of such software. Graybar provides the software "AS IS" WITH ALL FAULTS, and the only warranties provided for software, if any, are provided by the third-party owner or licensor of such software. Although Graybar may collect fees relating to such software, the end user's agreement is with the third-party owner or licensor, and Buyer holds Graybar harmless from and against any claims arising out of or related to such firmware or software.

12.LIMITED WARRANTIES - Graybar warrants that all goods sold are free of any security interest and will make available to Buyer all transferable warranties (including without limitation warranties with respect to intellectual property infringement) made to Graybar by the manufacturer of the goods. Buyer acknowledges that the performance of any service which alters the manufacturer provided goods, as indicated in the statement of work, may void the manufacturer's warranty. Graybar shall use the same care and skill a similarly situated provider of like services would exercise following commonly accepted industry practices in the performance of its duties under this agreement. GRAYBAR MAKES NO OTHER EXPRESS OR IMPLIED WARRANTIES, AND SPECIFICALLY DISCLAIMS ALL IMPLIED WARRANTIES INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PURPOSE. UNLESS OTHERWISE AGREED IN WRITING BY AN AUTHORIZED REPRESENTATIVE OF GRAYBAR, PRODUCTS SOLD HEREUNDER ARE NOT INTENDED FOR USE IN OR IN CONNECTION WITH (1) ANY SAFETY APPLICATION OR THE CONTAINMENT AREA OF A NUCLEAR FACILITY, OR (2) IN A HEALTHCARE APPLICATION, WHERE THE GOODS HAVE POTENTIAL FOR DIRECT PATIENT CONTACT OR WHERE A SIX (6) FOOT CLEARANCE FROM A PATIENT CANNOT BE MAINTAINED AT ALL TIMES.

13.LIMITATION OF LIABILITY - Buyer's remedies under this agreement are subject to any limitations contained in manufacturer's terms and conditions to Graybar, a copy of which will be furnished upon written request. Furthermore, Graybar's liability shall be limited to either repair or replacement of the goods, re-performance of the services, or refund of the purchase price, all at Graybar's option, and IN NO CASE SHALL GRAYBAR BE LIABLE FOR INCIDENTAL, SPECIAL, OR CONSEQUENTIAL DAMAGES. In addition, claims for shortages, other than loss in transit, must be made in writing not more than five (5) days after receipt of shipment. Unless otherwise agreed in the applicable statement of work, acceptance of services will occur not more than five (5) days after completion of performance.

14.WAIVER - The failure of Graybar to insist upon the performance of any of the terms or conditions of this agreement or to exercise any right hereunder shall not be deemed to be a waiver of such terms, conditions, or rights in the future, nor shall it be deemed to be a waiver of any other term, condition, or right under this agreement.

15.ASSIGNMENT - Buyer shall not assign its rights or delegate its duties hereunder or any interest herein without the prior written consent of Graybar, and any such assignment, without such consent, shall be void.

16.CERTIFICATION - Graybar hereby certifies that these goods were produced in compliance with all applicable requirements of Sections 6, 7, and 12 of the Fair Labor Standards Act, as amended, and of regulations and orders of the United States Department of Labor issued under Section 14 thereof. This agreement is subject to Executive Order 11246, as amended, the Rehabilitation Act of 1973, as amended, the Vietnam Veterans' Readjustment Assistance Act of 1974, as amended, E.O. 13496, 29 CFR Part 471, Appendix A to Subpart A, and the corresponding regulations, to the extent required by law. 41 CFR 60-1.4, 60-741.5, and 60-250.5 are incorporated herein by reference, to the extent legally required.

17.FOREIGN CORRUPT PRACTICES ACT - Buyer shall comply with applicable laws and regulations relating to anti-corruption, including, without limitation, (i) the United States Foreign Corrupt Practices Act (FCPA) (15 U.S.C. §§78dd-1, et. seq.) irrespective of the place of performance, and (ii) laws and regulations implementing the Organization for Economic Cooperation and Development's Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, the U.N. Convention Against Corruption, and the Inter-American Convention Against Corruption in Buyer's country or any country where performance of this agreement or delivery of goods will occur.

18.EXPORTING - Buyer acknowledges that this order and the performance thereof are subject to compliance with any and all applicable United States laws, regulations, or orders. Buyer agrees to comply with all such laws, regulations, and orders, including, if applicable, all requirements of the International Traffic in Arms Regulations and/or the Export Administration Act, as may be amended. Buyer further agrees that if the export laws are applicable, it will not disclose or re-export any technical data received under this order to any countries for which the United States government requires an export license or other supporting documentation at the time of export or transfer, unless Buyer has obtained prior written authorization from the United States Office of Export Control or other authority responsible for such matters.

Signed:_____

Subject to the standard terms and conditions set forth in this document. Unless otherwise noted, freight terms are F.O.B. shipping point prepaid and bill. Unless noted the estimated ship date will be determined at the time of order placement.



FIGURE RFP-128-01



Quoted on 7/7/2025

Quote #7725-78904

MRO Electric and Supply

1652 Old Apex Road
Cary, North Carolina 27513 USA
Tel 1: 1-800-691-8511
Tel 2: 1-919-367-6379
Fax 1: 1-919-415-1614
mroelectric.com

Customer Information

robert.cardinal@ghd.com

Quote Items

Qty	Part Number	Description	New Unit Price
1	ECC21 2 Year Warranty	ETHERNET CARD FOR CM3000/4000	\$1,697.00 3-5 Days
Total:			\$1,697.00

Thank you for considering MRO Electric & Supply Company.
Best Regards,
Joe Kaminski
jkaminski@mroelectric.com

Shipping

We offer free ground shipping within the continental US for orders under 20lbs. We ship via all major carriers and can bill a customer's shipping account if need be. Orders for stock items placed before 4PM eastern will ship out the same day, and we are able to accommodate after hours rush orders as well.

Payment

We accept all major credit cards, and wire transfers for international orders. We can also set up terms of Net 30 with established customers. Prices quoted are in USD.

Core Exchange & Repair

Our core exchange program offers you credit for your faulty items, please ask about getting an RMA to send your core in with for credit. You can also send in your unit to be repaired, our standard turnaround for repairs is 5-7 days, and all of our repaired items look like new, and come with a 2 year warranty.

Quotes are valid for 30 Days based on availability. This quote contains confidential and privileged information belonging to the sender or intended recipient. If you are not the intended recipient you are hereby notified that any disclosure, copying, use, distribution, or taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this e-mail in error, please notify us by reply email to sales@mroelectric.com. Returns are accepted within 30 days, restocking fees may apply. This website is not sanctioned or approved by any manufacturer or trade name listed. We are not an authorized distributor or representative for the listed manufacturers. Brand names, brands, and designated trademarks appearing herein are the property of their respective owners.



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	125		
RFP Subject	ASMCP-1 UPS Control Panel Installation		
Issued By	B. Cardinal	Issue Date	6/20/2025

Description of proposed changes:

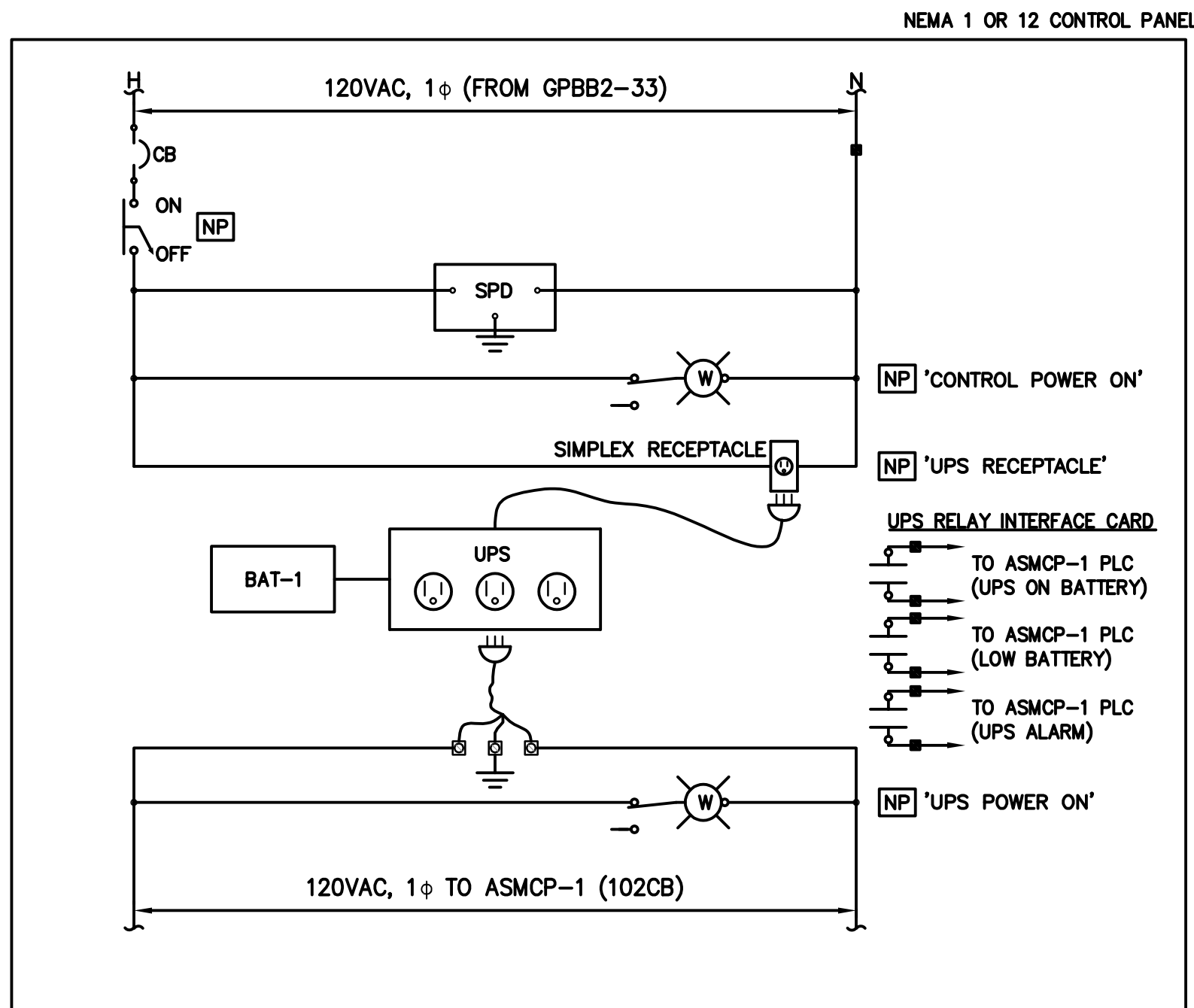
In the BB2 Electrical Room, install the Aeration System Master Control Panel (ASMCP-1) UPS Control Panel as depicted in the attached Figure RFP-125-01. Panel is being furnished by the General Contractor. Provide conduit and wiring, including terminations, as depicted in the attached Figure Nos. RFP-125-01, 02, and 03. New panel shall be mounted adjacent to the ASMCP-1 already installed in the Electrical Room along the west wall.

GHD

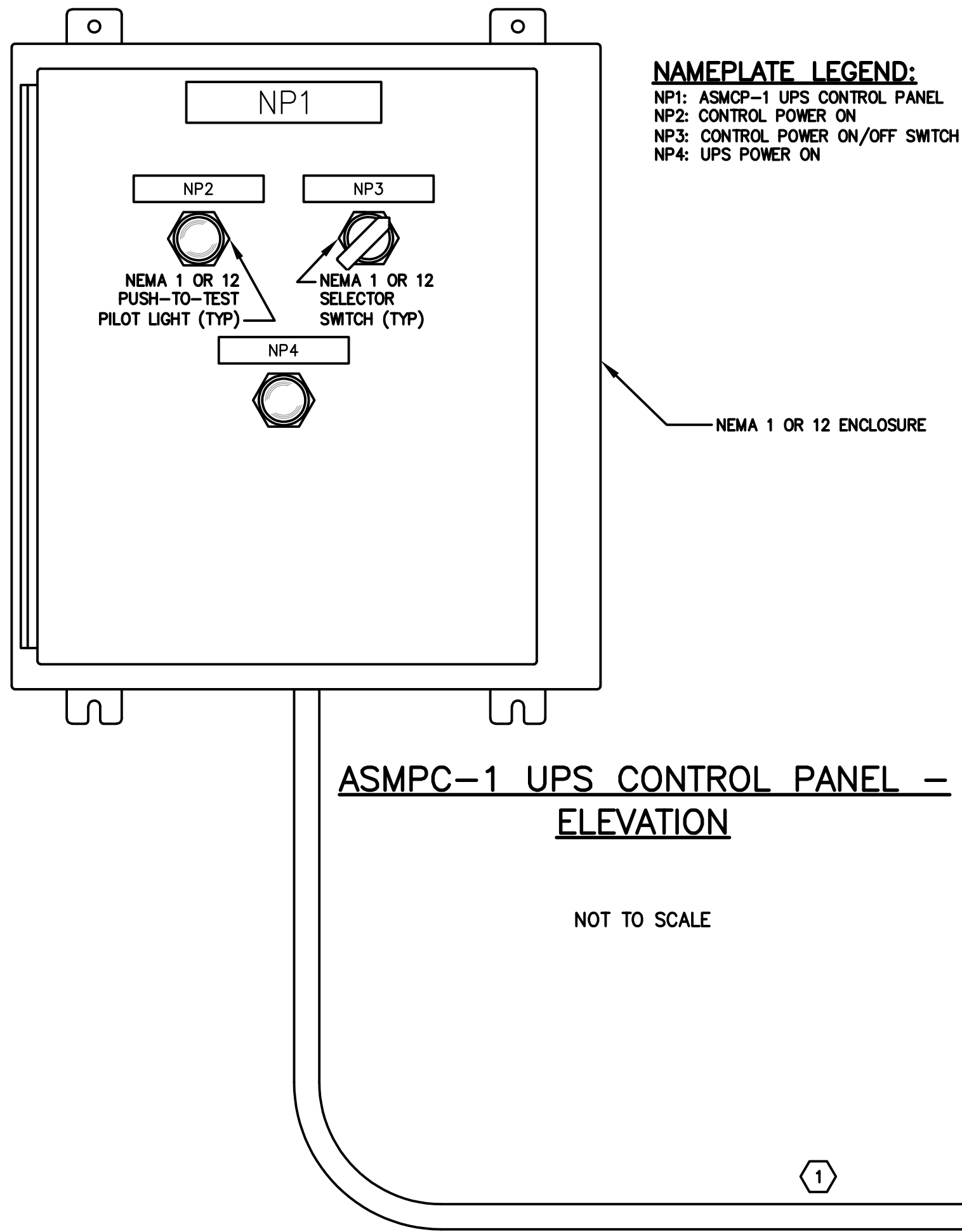
16701 Melford Boulevard Suite 330 Bowie Maryland 20715 USA
T 240 206 6810 F 240 206 6811 W www.ghd.com

\\ghdnet\ghd\US\Bowie\Projects\111\11121182 South Coastal Expansion\TECH\Construction\Work Changes\Request for Proposals\RFP-125 ASMCP-1 UPS Control Panel Installation - EC\RFP-125 ASMCP UPS Control Panel Installation.docx



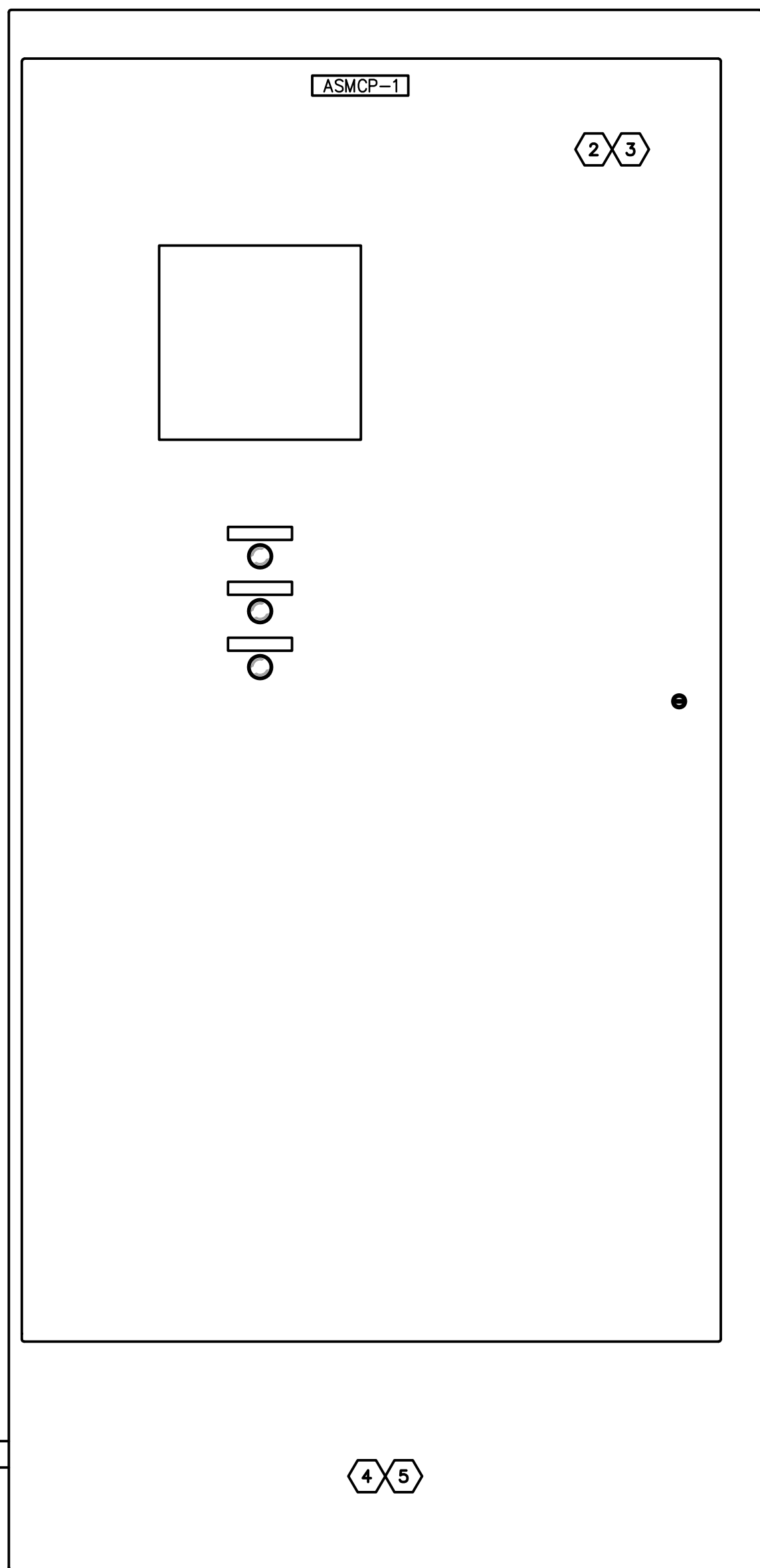


ASMPC-1 UPS CONTROL PANEL – ELEMENTARY
NOT TO SCALE



**ASMPC-1 UPS CONTROL PANEL –
ELEVATION**

NOT TO SCALE



BB2 ELECTRICAL ROOM – PARTIAL INTERIOR WALL ELEVATION LOOKING WEST

NOT TO SCALE

DRAWING NOTES:

- 1) 3/4" W/4-#12, 6-#14, 1-#12G; RUN CONDUIT TO BOTTOM OF ASMCP-1
- 2) DISCONNECT CIRCUIT GPBB2-33 FROM ASMCP-1 TERMINAL BLOCKS AND ROUTE TO ASMPC-1 UPS CONTROL PANEL. RE-FEED 102CB WITH 120 VAC POWER FROM ASMPC-1 UPS CONTROL PANEL. REFER TO FIGURE RFP-124-02
- 3) 102CB IS IN UPPER RIGHT CORNER ON INTERIOR OF PANEL, FIRST CB FROM THE LEFT
- 4) CONNECT CIRCUIT NO. GPBB2-33 TO 120VAC POWER INPUT TO ASMPC-1 UPS CONTROL PANEL. MAKE CONNECTION IN WIRING TROUGH BELOW ASMCP
- 5) CONNECT 120 VAC OUTPUT OF ASMPC-1 UPS CONTROL PANEL TO WIRING LABELED "33" THAT FEEDS INPUT TO 102CB INSIDE ASMCP-1. REMOVE WIRING LABELS AND LABEL "UPS".

Graphics scale, north arrow, client logo, etc.



SUSSEX COUNTY, DELAWARE
ASMCP UPS Panel Elementaries
~~FIGURE RFP-124-01~~
FIGURE RFP-125-01

Project No. 11121182
Report No. ~~RFP-124~~
Date ~~6/6/2025~~
RFP-125-01
Date 6/20/25

Disconnect Circuit GPBB2-33 from the ASMCP power input, and connect Circuit 33 to power circuit wiring in trough below panel. Circuit 33 will now feed the new ASMCP-1 UPS Control Panel.

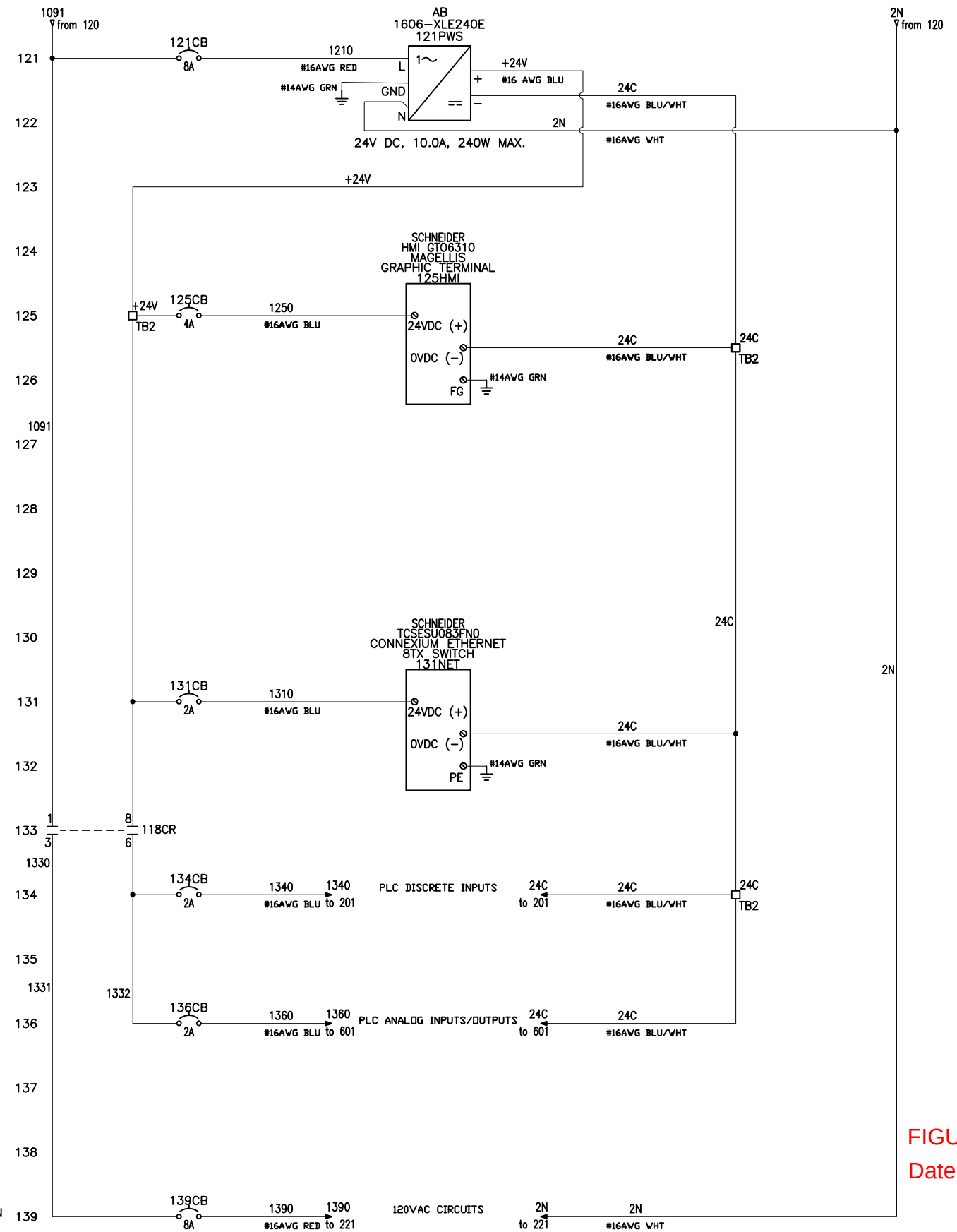
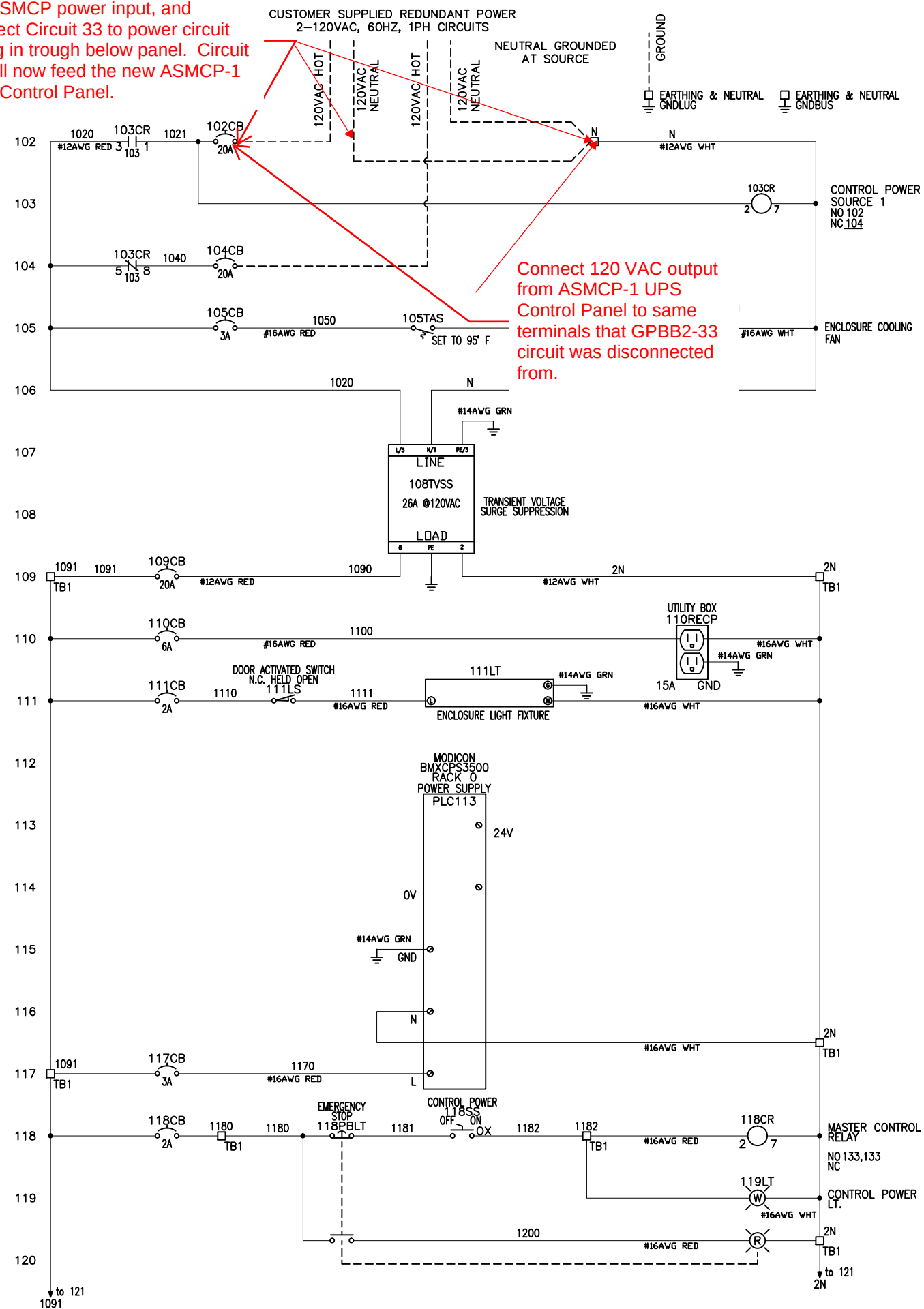


FIGURE RFP-125-02
Date: 6/20/25

				3	REVISED PER CUSTOMER COMMENT	2/3/21	BAP	AERZEN SCRWF TREATMENT UPGRADE No. 3		
				2	REVISED PER CUSTOMER COMMENTS	8/14/20	SEH			
				1	REVISED PER CUSTOMER COMMENTS	4/9/20	SEH			
CHG#	REVISIONS	DATE	BY	CHG#	REVISIONS	DATE	BY			
D	CAD REF: J12054-MCP-R1 FILE: J12054-MCP-01				 Engineers - Integrator - Manufacturer www.enhancedautomation.com			TITLE: MCP CONTROL POWER SCHEMATIC		
	- PROPERTY OF THE ENHANCERS INC. - © COPYRIGHT 2020 THE ENHANCERS, INC. - DRAWING AND CONTENTS ARE CONFIDENTIAL							SCALE NTS	DATE 03/17/20	SHEET NO. 1
								DRN BY SEH	DRAWING NUMBER	
				CHKD BY	J12054-MCP					



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	RFP-127		
RFP Subject	Scum Pump Electrical Mods		
Issued By	B. Cardinal	Issue Date	9/28/2025

Description of proposed changes:

Replace the control and monitoring systems associated with the scum pump wet well, per the attached figures depicting modifications and additions to Contract Drawings, as well as described herein. Work shall include the following:

1. Motor Starter Replacement
 - 1.1. Remove existing scum pump starter located in MCC-5B and provide a new 3P circuit breaker in the existing MCC compartment to replace the existing starter.
2. Power and Control Conductors
 - 2.1. Remove existing power and control conductors between PCS cabinet, existing MCC and the existing Scum Pump Control Panel (CP). Some conductors for Weir Gates 621 and 622 are also being replaced under this scope to prevent damage and facilitate new conductor installation; refer to attached figures for replacement of actuator branch circuit wiring from PP5B to weir gate actuators.
 - 2.2. Provide new power wiring between the MCC and the new Scum Pump CP.
 - 2.3. Provide new control wiring between PCS-5B and the new Scum Pump CP, existing weir gates 621 and 622, and new level transmitter.
 - 2.4. Provide a new circuit for GFCI receptable to be installed adjacent to scum well.LT.
3. Demolition and Installation
 - 3.1. Demolish existing local control panels at scum wet well. Remove existing motor control circuits back to MCC.
 - 3.2. Replace the existing MCC scum pump starter compartment door with a new compartment door. Transfer the Scum Pump name plate from existing door to this new door. Affix a new, general arc flash warning label to the compartment door.
 - 3.3. Demolish existing disconnect switch.
- 3.4. Provide a new Scum Pump MSCP with integral combination magnetic motor starter and flange mounted disconnecting handle to disconnect 480 VAC power conductors entering panel. Fabrication shall be by CSI. Demolish all temporary power and control circuits, including wiring, conduit, supports, cables and appurtenances, when temporary installation is no longer required.
4. Pump Cable Terminations
 - 4.1. The scum pump exists and shall remain in place. The pump is a submersible pump with a manufacturer's flexible cable.

GHD

16701 Melford Boulevard Suite 330 Bowie Maryland 20715 USA

T 240 206 6810 F 240 206 6811 W www.ghd.com

G:\111\11121182 South Coastal Expansion\TECH\Construction\Work Changes\Request for Proposals\RFP-127 Scum Pump Electrical Mods\RFP-127 Word Doc.docxG:\111\11121182 South Coastal Expansion\TECH\Construction\Work Changes\Request for Proposals\RFP-127 Scum Pump Electrical Mods\RFP-127 Scum Pump Electrical Mods.docx





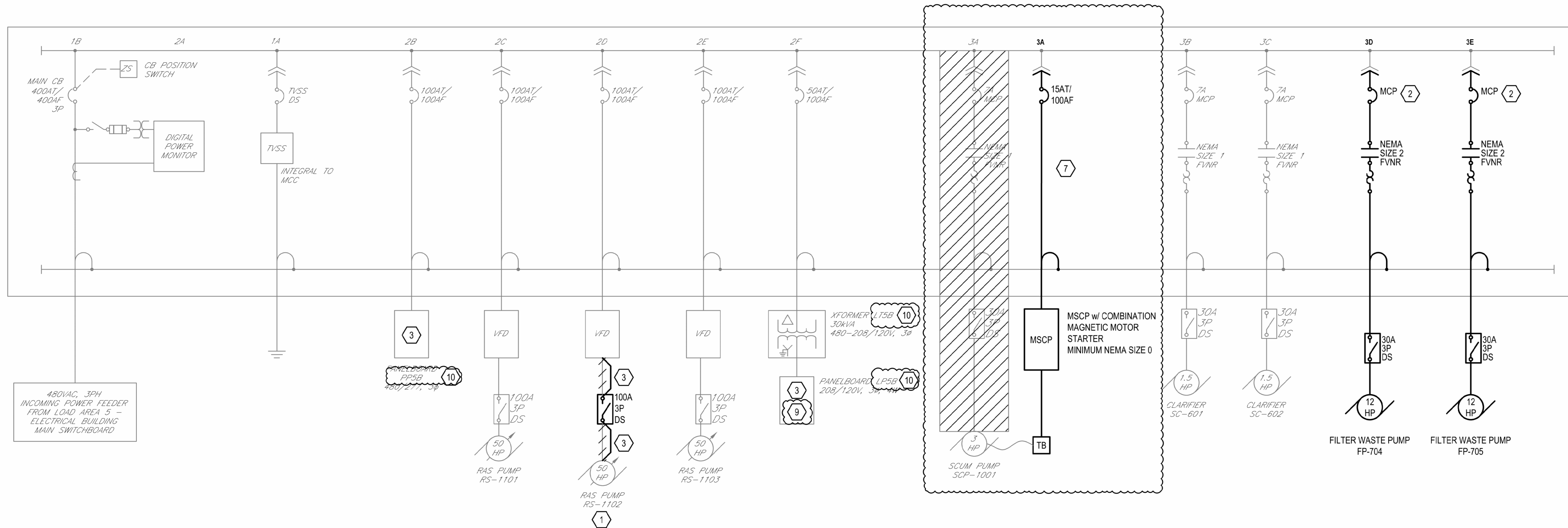
- 4.2. Provide a new terminal box to connect the submersible pump flexible cable and new float switch cables.
- 4.3. Provide nameplate for terminal box: "TB-SCUM-1 SCUM PUMP/FLOATS."
5. Level Indication and Monitoring
 - 5.1. Remove existing ULS element and transmitter, existing hydrostatic level transmitter, as well as existing high-level float. Turn all existing instruments over to the County.
 - 5.2. Provide a new terminal box (separate from pump cable/float switch terminal box) for connecting a cable from a new hydrostatic level transmitter.
 - 5.3. Provide new high-high and low-low level float switches.
 - 5.4. Hydrostatic level transmitter and float switches shall be furnished by the CSI.
 - 5.5. Provide nameplate for terminal box: "TB-SCUM-2 HYDRO LEVEL."
 - 5.6. Float switches shall be the same model/manufacturer that have been previously approved and installed on this project, with the same general mounting arrangement. Actuation elevations of floats shall be determined in the field in coordination with the Engineer.
 - 5.7. Hydrostatic level sensor shall be the same model/manufacturer that has been previously approved and installed on site, with the same general mounting arrangement. Instrument range shall be 0-9 psig; calibrated range shall be determined in the field in coordination with the Engineer.
6. Conduit Reuse
 - 6.1. Existing conduits are to be reused to the extent possible, except where otherwise indicated on the attached figures. It is anticipated that existing underground duct banks can be re-used, and no new underground duct banks are required.
7. Sequencing of Work
 - 7.1. Work shall be sequenced such that the scum pump remains in service while work permanent installation is being performed. Prior to beginning demolition work:
 - 7.1.1. Install MSCP at temporary location adjacent to scum well; provide corrosion resistant supports.
 - 7.1.2. Install TB-SCUM-1 in a temporary location adjacent to MSCP temporary location; provide corrosion resistant supports.
 - 7.1.3. Remove existing 25A/3P CB from PP5B, Circuit No. 33 and provide a new 15A/3P CB in it's place. Turn over 25A CB to County.
 - 7.1.4. Provide temporary power circuit, 3-No.10, 1-No. 12G from PP5B-33 to Scum Pump MSCP. Circuit shall be installed in ¾" PVC conduit inside Electrical Room, and shall penetrate wall and terminate in a temporary JB with isolated power terminals.
 - 7.1.5. Provide a temporary power cable, Type SOJ or equivalent, 4-No. 10AWG conductors, and install from temporary JB to MSCP. Cable shall be UV resistant, UL listed for outdoor installation. Cable shall be installed along grade; provide mechanical protection of cable wherever it crosses a roadway or walkway.
 - 7.1.6. Install float switches in wet well, and connect them to TB-SCUM-1. Provide temporary wiring and conduit between TB-SCUM-1 and MSCP for motor branch circuit conductors and float switch signals.
 - 7.1.7. Coordinate with plant staff for disconnecting existing pump cable from existing power circuit and re-connecting to TB-SCUM-1.
 - 7.1.8. Place new Scum Pump MSCP and existing scum pump in service, and test/demonstrate Hand and Auto operation of scum pump in the presence of the Engineer and County.
 - 7.1.9. Coordinate position of weir gates with County prior to beginning demolition of power circuits for weir gate actuators.
8. Exceptions to Contract Documents: All work shall comply with the requirements of the Contract Documents, with the following exceptions:
 - 8.1. Incorporation of new Scum Pump feeder CB and MSCP into a revised power study is not required.
 - 8.2. General arc flash labels only are required for the new MCC compartment, new TB-SCUM-1 and the new Scum Pump MSCP.
 - 8.3. Megger testing of temporary wiring and cabling is not required.



- 8.4. Testing of grounding system is not required.
- 8.5. Submittal for temporary power cable is not required.
- 8.6. No thermographic survey is required as a part of this work.
- 8.7. Intermediate point to point testing is not required as a part of this work.
- 8.8. CSI is not required to be on site for commissioning of instruments or Final point to point testing.
Contractor shall maintain responsibility for the commissioning and Final point to point testing.

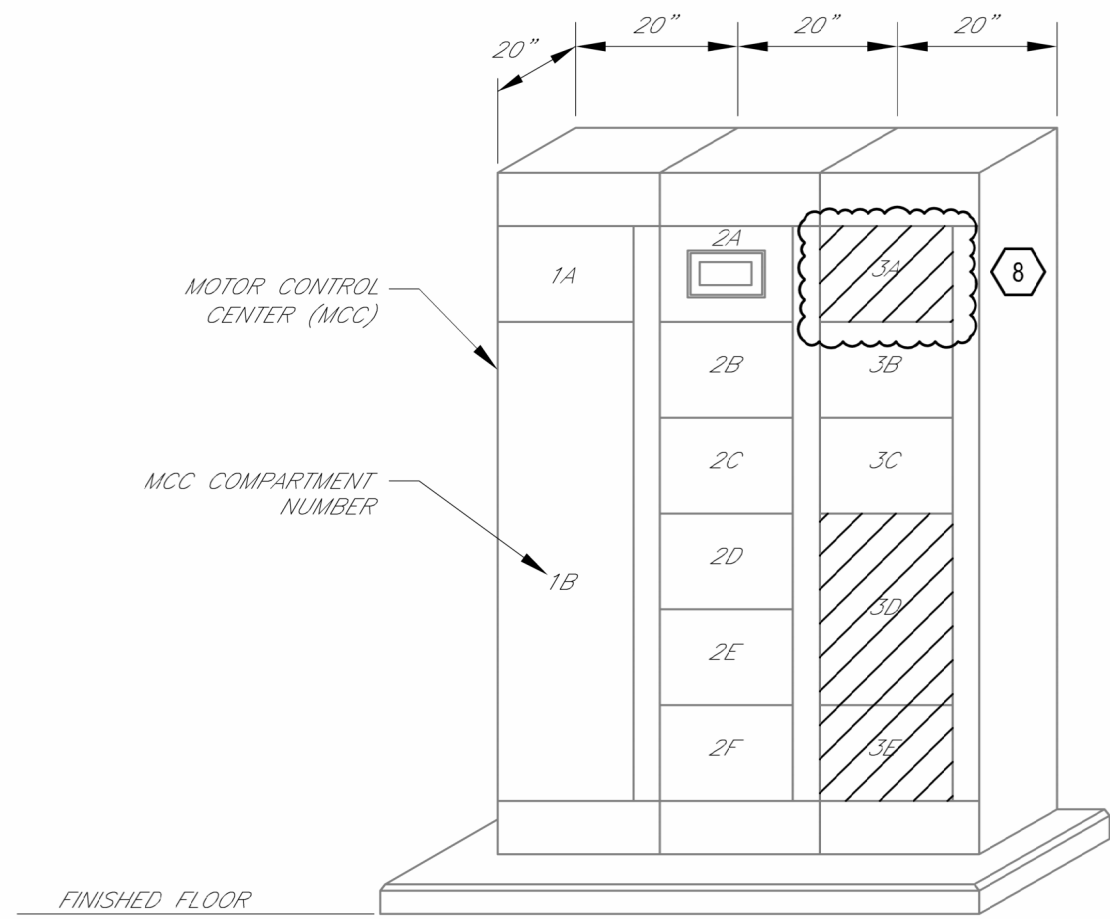
9. Field Meeting

- 9.1. Prior to providing formal pricing for the work described herein and indicated on the attached figures, the Contractor shall meet with the County and Engineer on site to review the described work and discuss any issues or questions that the Contractor may have in order to formalize pricing and execute the work.



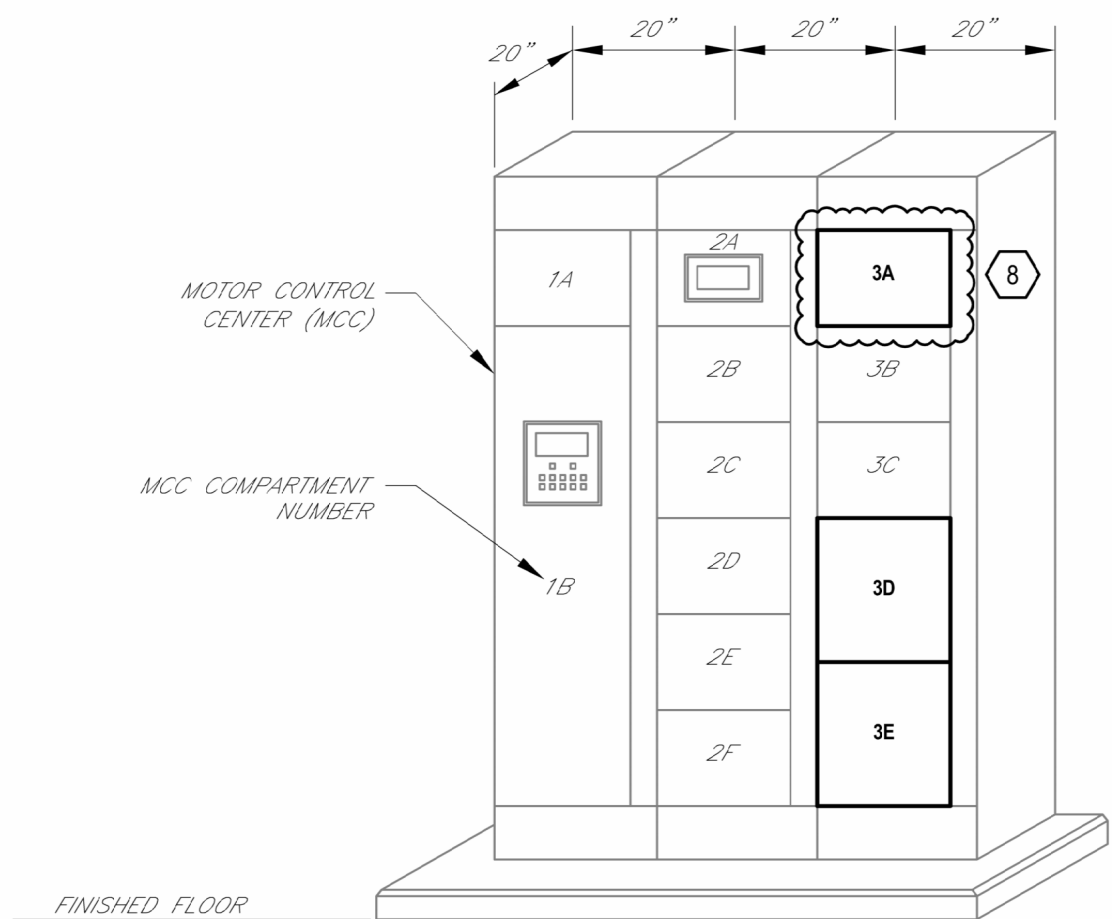
MCC-5B
LOCATION: RETURN SLUDGE BUILDING - ELECTRICAL ROOM
HORIZONTAL BUS: 600A
VOLTAGE: 480/277V, 3Ø, 4W
RATING: 42,000 AIC (MIN)

1 MOTOR CONTROL CENTER MCC-5B ONE-LINE DIAGRAM - MODIFICATIONS
SCALE: NTS



2 MOTOR CONTROL CENTER MCC-5B ELEVATION - DEMOLITION
SCALE: NTS

MCC-5B MODIFICATIONS:		
MODIFICATIONS TO COMPARTMENTS 3D AND 3E FROM ORIGINAL DRAWING NOT INCLUDED FOR BREVITY.		
1.	COMPARTMENT 3A	
	UNIT:	SPACE
	EX. SERVICE:	SPACE
	MODIFICATIONS:	REMOVE EXISTING MCP, POWER AND CONTROL CIRCUITS. PROVIDE NEW CIRCUIT BREAKER, POWER AND CONTROL TERMINALS AND CONNECTIONS.
	NAMEPLATE TEXT:	SCUM PUMP SCP-1001



3 MOTOR CONTROL CENTER MCC-5B ELEVATION - MODIFICATIONS
SCALE: NTS

LEGEND:

TO BE DEMOLISHED

DRAWING NOTES:

- DRAWING NOTES 1-6 FROM ORIGINAL DRAWING NOT INCLUDED FOR BREVITY.
- 7 DEMOLISH EXISTING CIRCUIT AND EXPOSED CONDUIT AND PROVIDE NEW CONTROL PANEL, POWER AND CONTROL CIRCUITS AND CONDUIT. CAP CONCEALED CONDUITS.
 - 8 DEMOLISH I/O CONDUCTORS BACK TO EXISTING PCS CABINET AND INSTALL NEW I/O CONDUCTORS TO PCS CABINET. REFER TO INSTALLATION PLAN DRAWING.
 - 9 PROVIDE 120 VAC CIRCUIT FROM EXISTING PANELBOARD TO NE GFCI RECEPTACLE, USING EXISTING 15A SPARE CB, LP5A-11. UPDATE PANELBOARD DIRECTORY.
 - 10 CORRECTING INCONSISTENCIES FROM ORIGINAL CONTRACT DRAWING - NO ACTUAL CHANGE OR WORK IS REQUIRED EXCEPT FOR RECORD DRAWINGS.

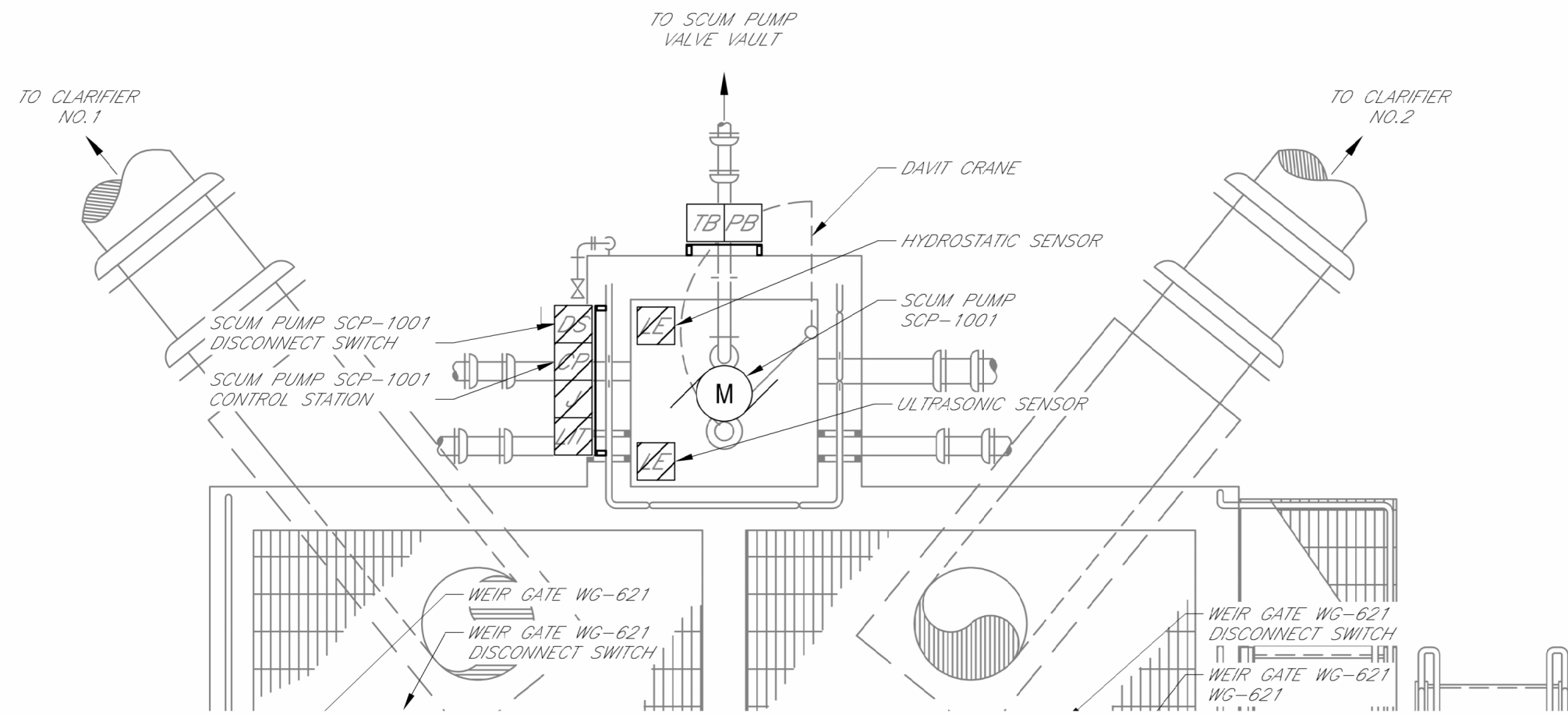


SUSSEX COUNTY, DELAWARE
SCWRP NO.3 AND RBWWTP CIP PHASE 2
UPGRADES

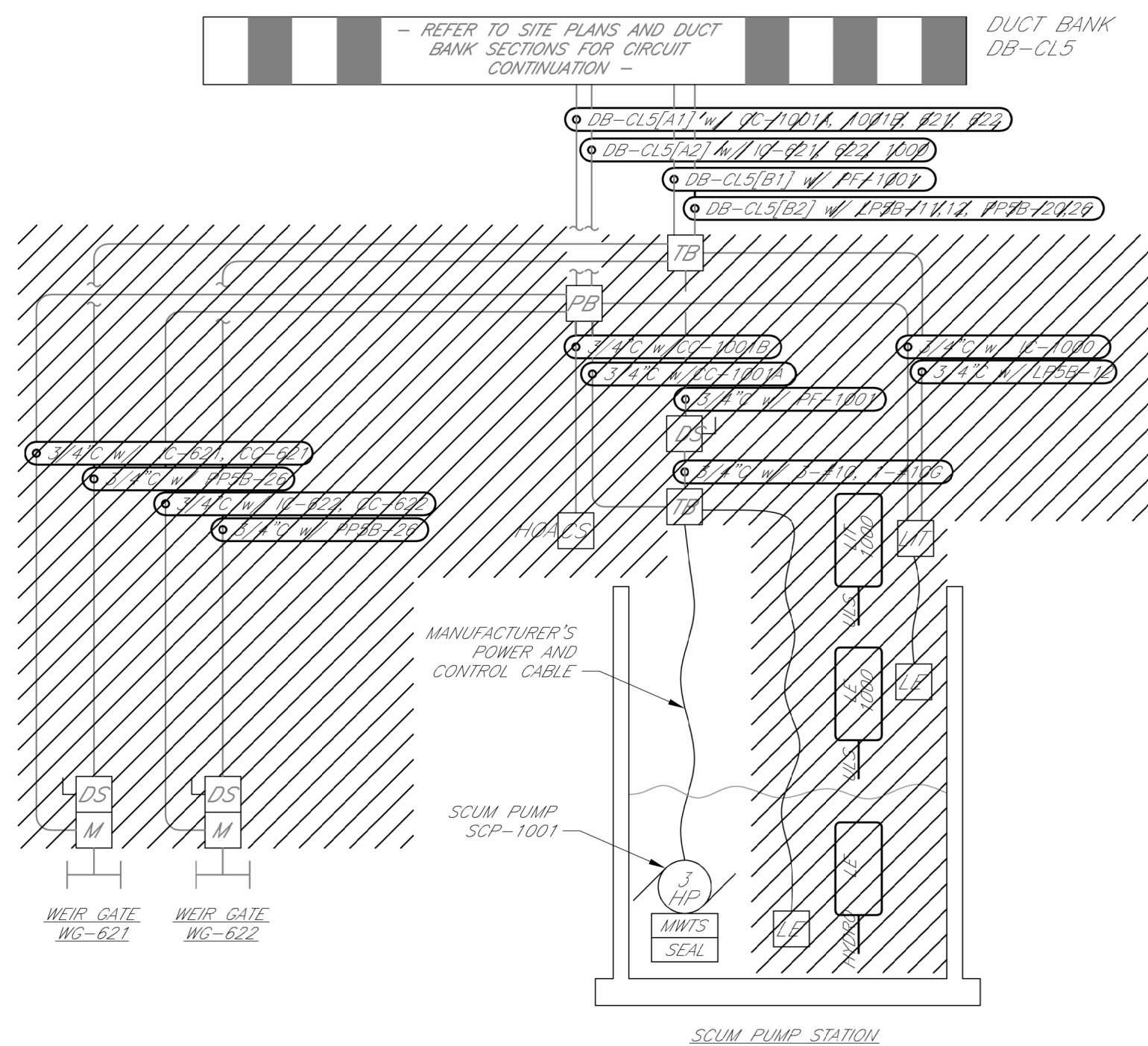
FIGURE RFP-127-01
SCUM PUMP ELECTRICAL MODS

Project No. 11121182
Report No. RFP-127
Date 9/19/2025

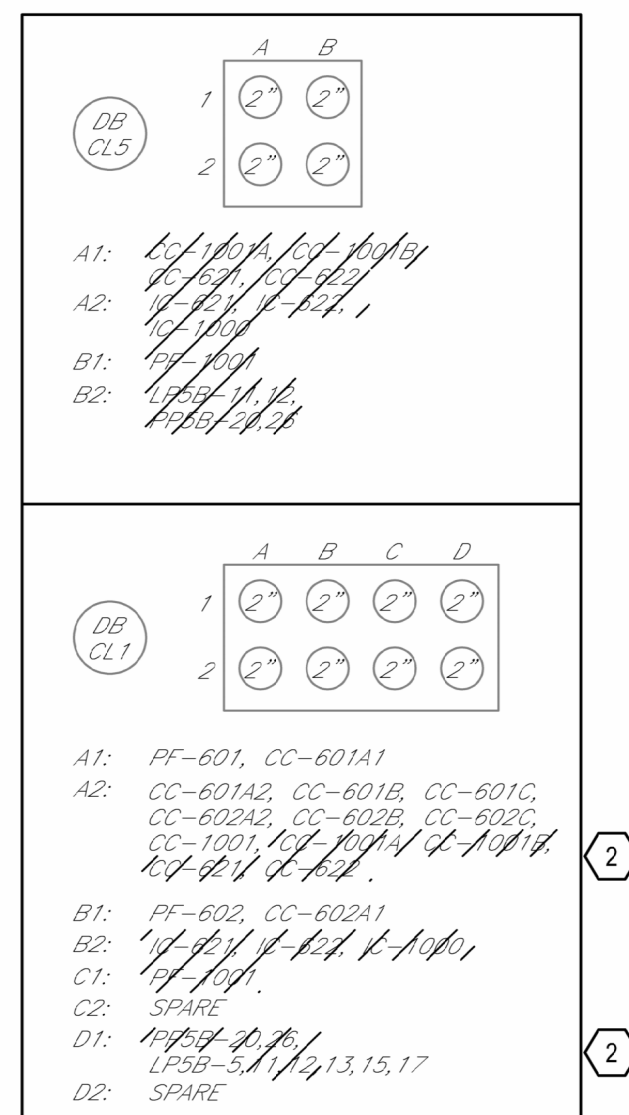
RFP-127-01



1 SCUM PUMP CONTROL PANEL DEMOLITION PLAN
SCALE: 1/4" = 1'-0"



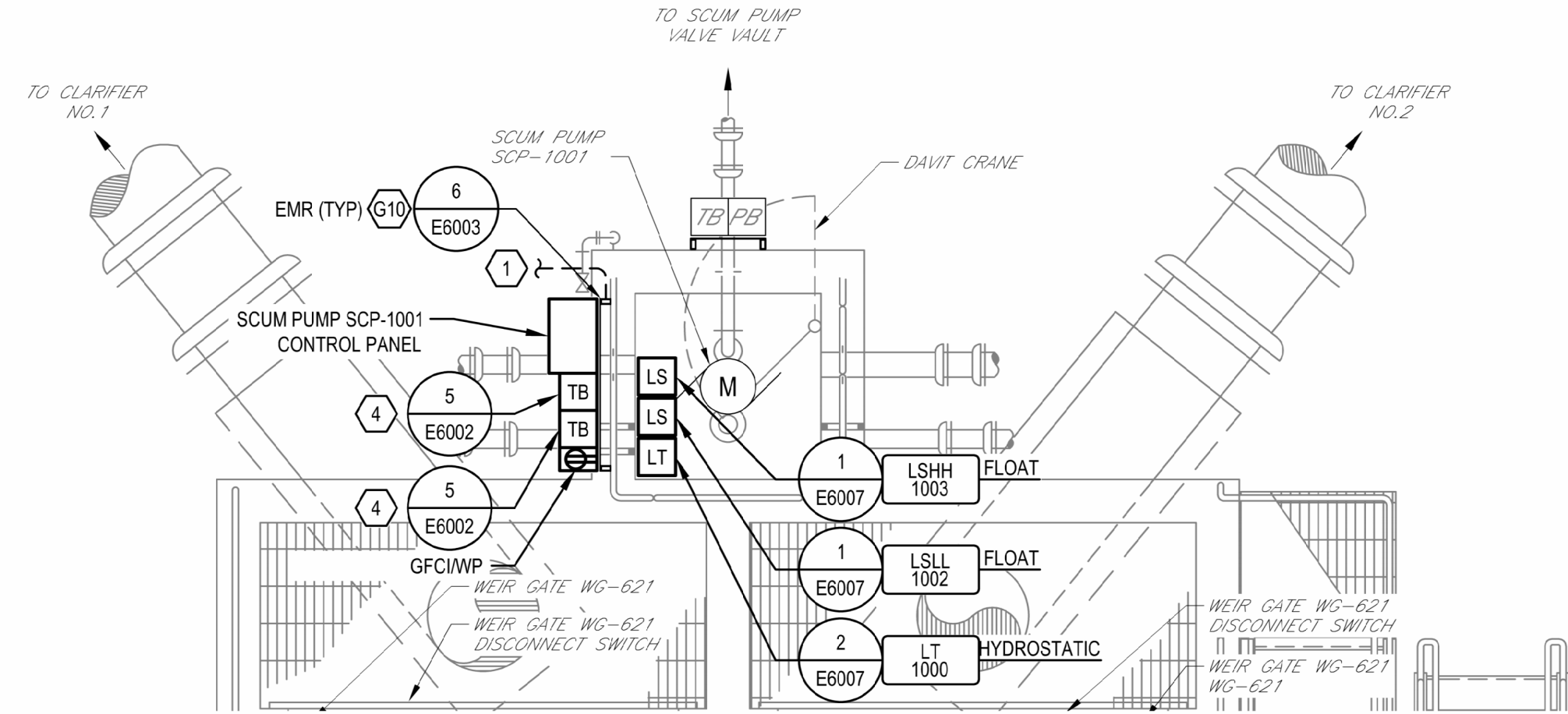
3 SCUM PUMP STATION CONDUIT RISER DIAGRAM - DEMOLITION
SCALE: NTS



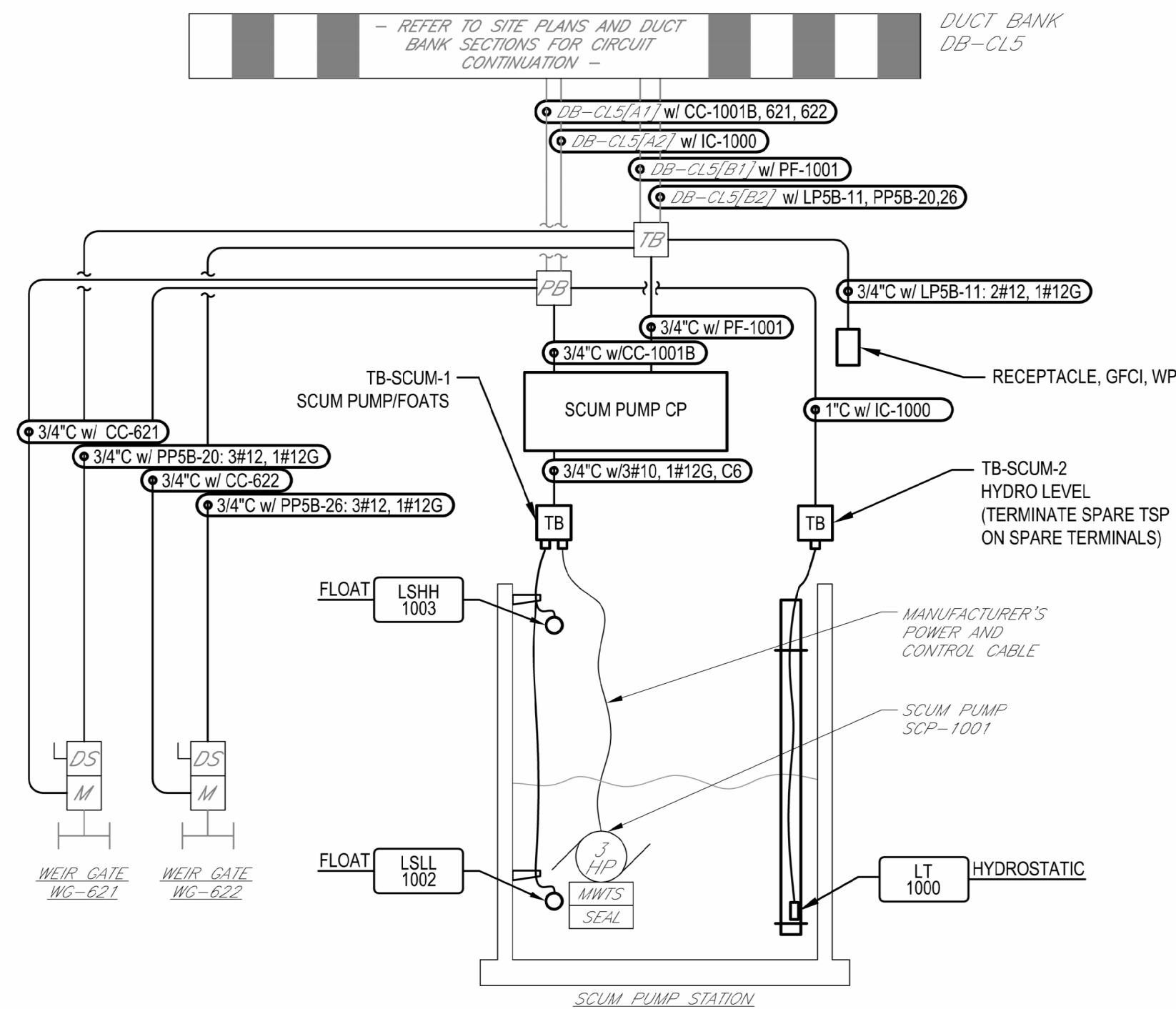
4 DUCT BANK SECTIONS - DEMOLITION
SCALE: NTS

DUCT BANK CIRCUIT SCHEDULE				
CIRCUIT NUMBER	CONDUCTORS	FROM	TO	EQUIPMENT/FUNCTION
PF-1001	3#10, 1#10G	SCUM PUMP	MCC-5B	POWER FEEDER
IC-1000	TSP-1, 2#14	LT-1000	PCS CABINET RSB1	LEVEL SIGNAL LEVEL FAIL
IC-621	TSP-1	WEIR GATE WG-621	PCS CABINET RSB1	POSITION SIGNAL
IC-622	TSP-1	WEIR GATE WG-622	PCS CABINET RSB1	POSITION SIGNAL
CC-1001	2#14, 1#12G	LSH-1001	PCS CABINET RSB1	FLOAT SWITCH
CC-1001A	4#14, 1#12G	SCUM PUMP	MCC-5B	CONTROL STATION
CC-1001B	4#14, 1#12G	SCUM PUMP	PCS CABINET RSB1	MWTS SEAL FAIL
CC-621	6#14, 1#12G	WG-621	PCS CABINET RSB1	GATE CONTROL CIRCUITS
CC-622	6#14, 1#12G	WG-622	PCS CABINET RSB1	GATE CONTROL CIRCUITS

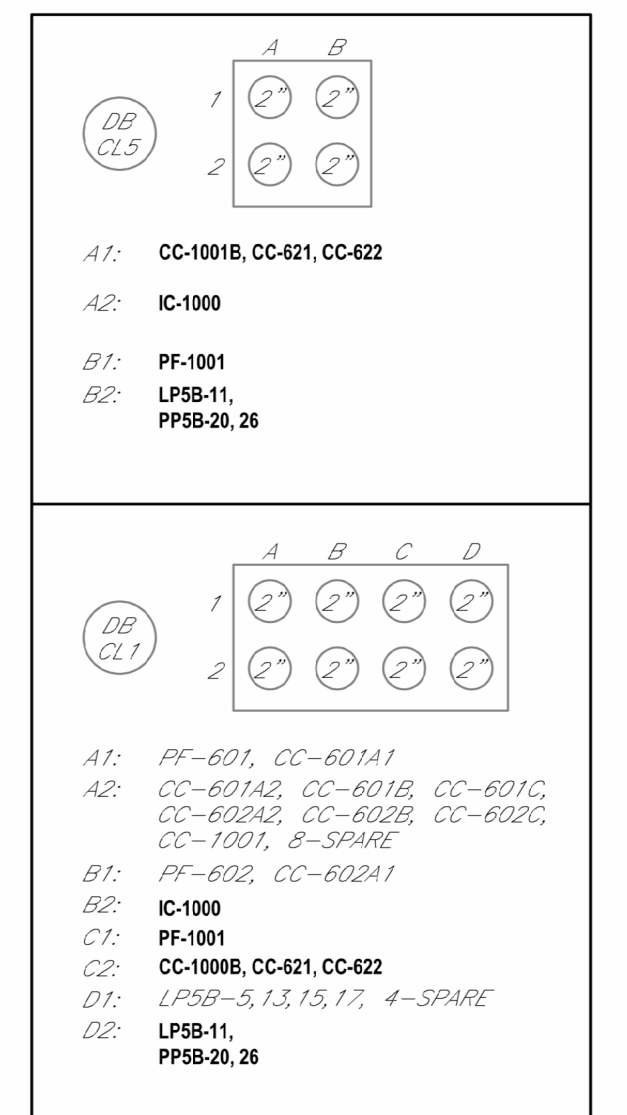
7 DUCT BANK CIRCUIT SCHEDULE - DEMOLITION
SCALE: NTS



2 SCUM PUMP CONTROL PANEL INSTALLATION PLAN
SCALE: 1/4" = 1'-0"



5 SCUM PUMP STATION CONDUIT RISER DIAGRAM - INSTALLATION
SCALE: NTS



6 DUCT BANK SECTIONS - INSTALLATION
SCALE: NTS

DUCT BANK CIRCUIT SCHEDULE				
CIRCUIT NUMBER	CONDUCTORS	FROM	TO	EQUIPMENT/FUNCTION
PF-1001	3#10, 1#12G	SCUM PUMP MSCP	MCC-5B	MOTOR FEEDER
IC-1000	TSP-2	LT-1000	PCS CABINET RSB1	LEVEL SIGNAL (24VDC LOOP POWERED FROM PCS-RSB1) (1-TSP SPARE)
CC-1001B	2#14, 1#12G	SCUM PUMP MSCP	PCS CABINET RSB1	MWTS SEAL-HIGH-HIGH LEVEL, LOW-LOW LEVEL, RUNNING, IN AUTO, IN HAND, AUTO-CONTROL (4#14 SPARES)
CC-621	4#14, 1#12G	WG-621	PCS CABINET RSB1	GATE MONITORING CIRCUITS
CC-622	4#14, 1#12G	WG-622	PCS CABINET RSB1	GATE MONITORING CIRCUITS

8 DUCT BANK CIRCUIT SCHEDULE - INSTALLATION
SCALE: NTS

DRAWING NOTES:

- CONNECT TO CLOSEST GROUND GRID CONNECTION, OR PROVIDE NEW GROUND ROD NEAR STAIRWAY TO CONNECT TO.
- ABANDON IN PLACE CONDUCTORS SCHEDULED FOR DEMOLITION FROM DB-CL1 [A2] AND [D1]. WIRE NUT, AND LABEL EACH END AS "ABANDONED".
- DEMOLISH POWER AND CONTROL CIRCUITS AND EXPOSED CONDUIT ASSOCIATED WITH EQUIPMENT SHOWN TO BE DEMOLISHED BY CONTRACTOR. REMOVE CIRCUITS AND EXPOSED CONDUITS BACK TO SOURCE. CAP CONCEALED CONDUITS.
- PROVIDE NEMA 4X SS EQUIPMENT TERMINAL BOXES W/ HINGED DOOR AND NAMEPLATE SIMILAR IN CONSTRUCTION TO NEMA 4X PULL BOXES. PROVIDE UL LISTED, FULLY INSULATED TERMINALS, ILSCO OR EQUAL.

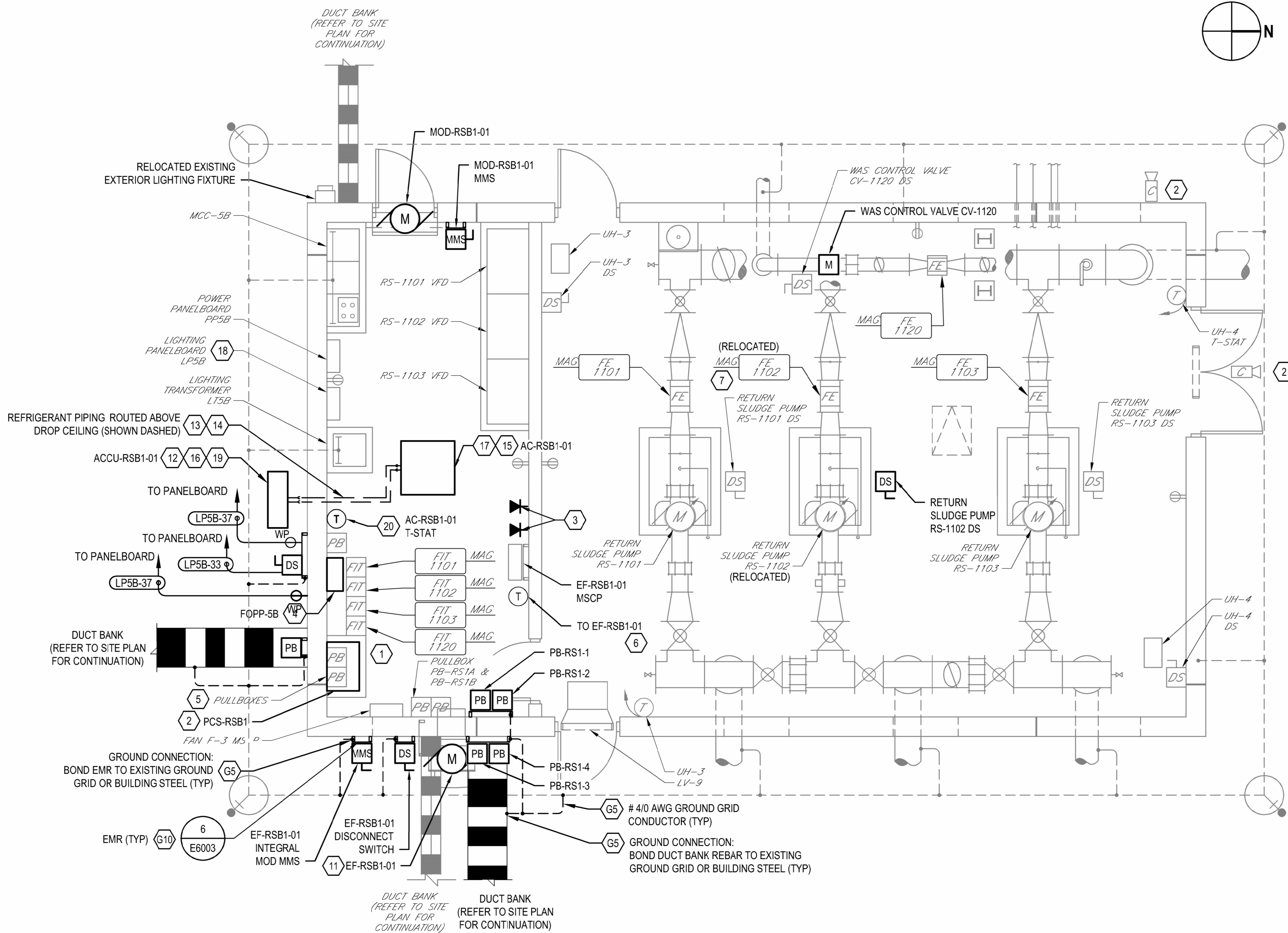
0 2'-0" 4'-0" 6'-0" 8'-0"
SCALE 1/4"=1'-0" AT ORIGINAL SIZE



SUSSEX COUNTY, DELAWARE
SCWRP NO.3 AND RBWWTP CIP PHASE 2
UPGRADES
FIGURE RFP-127-02
SCUM PUMP ELECTRICAL MODS

Project No. 11121182
Report No. RFP-127
Date 9/19/2025

RFP-127-02



1 RETURN SLUDGE BUILDING NO. 1 - POWER AND CONTROL PLAN MODIFICATIONS
SCALE: 1/4"=1'-0"

DRAWING NOTES:

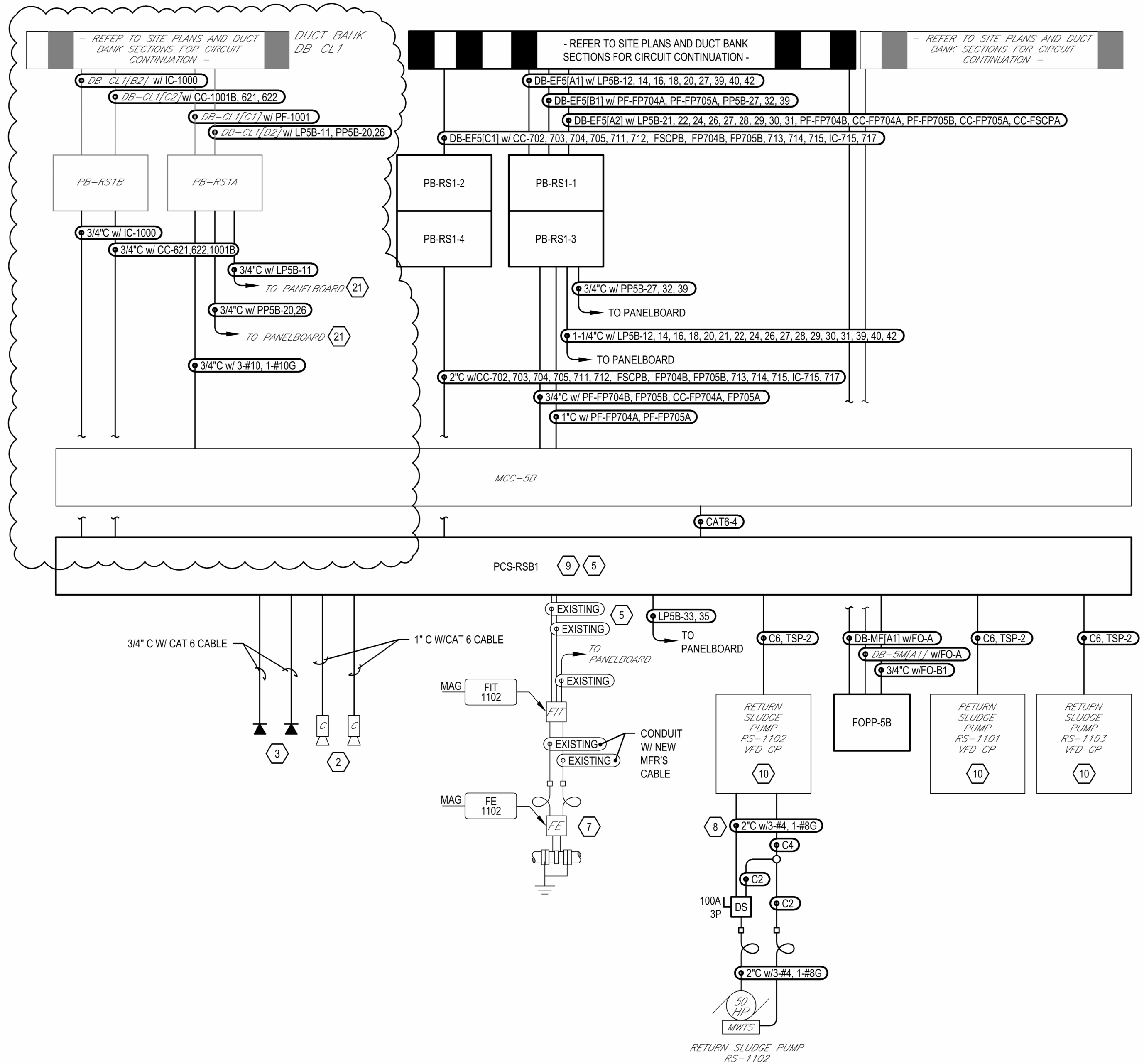
- 1 REFER TO 'PROCESS CONTROL SYSTEM SCHEMATIC DIAGRAM - MODIFICATIONS' FOR MORE INFORMATION.
- 2 CONNECT EXISTING CAMERAS TO PCS-5B.
- 3 PROVIDE WALL MOUNTED DATA JACKS FOR CONNECTION OF EXISTING PHONE AND PC TO NEW PCS-5B. COORDINATE LOCATIONS OF WALL JACKS WITH COUNTY.
- 4 MOUNT FOPP-5B ABOVE FLOW TRANSMITTERS IN SPACE VACATED BY DEMOLISHED FOPP.
- 5 REFER TO RETURN SLUDGE BUILDING NO.1 PLAN - DEMOLITION FOR CONNECTION OF EXISTING CIRCUITS TO NEW PCS-5B.
- 6 THERMOSTAT FURNISHED BY GENERAL CONTRACTOR, INSTALLED BY CONTRACTOR.
- 7 RE-LOCATED FE-1102. RE-USE EXISTING CONDUITS. PROVIDE ADDITIONAL CONDUIT AS REQUIRED FOR RELOCATION. PROVIDE NEW MANUFACTURER'S CABLES BETWEEN FLOW ELEMENT AND FLOW TRANSMITTER.
- 8 VFD MOTOR BRANCH CIRCUITS: PROVIDE SHIELDED VFD CABLE FOR EACH VFD MOTOR BRANCH CIRCUIT AS SPECIFIED.
- 9 ROUTE CIRCUITS THROUGH PCS PULL BOXES. PULL BOXES NOT SHOWN FOR BREVITY.

- 10 PROVIDE NEW WIRING AND WIRING CONNECTIONS FOR FIVE (5) NEW HARDWIRED I/O FOR EACH OF THREE (3) EXISTING RAS PUMP VFD CONTROL PANELS TO REPLACE EXISTING ETHERNET I/O. NEW HARDWIRED I/O FOR EACH VFD CONTROL PANEL SHALL CONSIST OF THE FOLLOWING POINTS:

- CONTROL - START/STOP (DISCRETE OUTPUT FROM PCS TO VFD)
- STATUS - RUN (DISCRETE INPUT FROM VFD TO PCS)
- ALARM - VFD FAIL (DISCRETE INPUT FROM VFD TO PCS)
- CONTROL - SPEED (4-20mA SPEED CONTROL ANALOG OUTPUT FROM PCS TO VFD)
- STATUS - SPEED (4-20mA SPEED INDICATION ANALOG INPUT FROM VFD TO PCS)

EXISTING VFDs ARE SCHNEIDER ELECTRIC, MODEL ALTIVAR 61. PROVIDE ONE (1) NEW VFD I/O MODULE INSTALLED IN EACH VFD TO ACCOMMODATE NEW HARDWIRED I/O. MODIFY CONFIGURATION OF EACH VFD TO ACCEPT HARDWIRED START/STOP SIGNAL AND 4-20mA ANALOG SPEED CONTROL SIGNAL IN LIEU OF CONTROL SIGNALS TRANSMITTED VIA ETHERNET. PROVIDE CONFIGURATION MODIFICATIONS FOR VFDs TO OUTPUT HARDWIRED DISCRETE SIGNALS FOR VFD FAIL AND RUN STATUS SIGNALS, AND TO OUTPUT 4-20mA ANALOG SPEED INDICATION SIGNAL.

CONDUIT AND WIRING FOR NEW DISCRETE AND ANALOG HARDWIRED SIGNALS INDICATED ON CONDUIT RISER DIAGRAM ARE IN ADDITION TO CONDUIT AND WIRING REQUIRED FOR INTERCEPTION OF EXISTING CIRCUITS TO/FROM VFD CONTROL PANELS TO NEW PCS CABINET AS INDICATED ON DRAWING SC-E0601.



2 RETURN SLUDGE BUILDING NO. 1 - CONDUIT RISER DIAGRAM
SCALE: NTS

- 11 EXHAUST FAN TO BE PLACED IN LOCATION OF EXISTING WINDOW CUT-OUT. EXISTING WINDOW TO BE REMOVED.
- 12 EXTERIOR EQUIPMENT PAD. REFER TO STRUCTURAL DRAWINGS - BY GENERAL CONTRACTOR.
- 13 ROUTE UNIT CONDENSATE PIPING ALONG REFRIGERANT PIPING PATHWAY. TERMINATE CONDENSATE PIPING 12" ABOVE EXTERIOR GRADE AND ANGLE 45 DEGREES AWAY FROM BUILDING. PROVIDE INTEGRAL CONDENSATE PUMP IF CONDENSATE PIPING IS SLOPED UPWARDS AT ANY POINT - BY GENERAL CONTRACTOR.
- 14 CORE DRILL EXISTING WALL FOR PIPE PENETRATIONS AND SEAL WATERTIGHT - BY GENERAL CONTRACTOR.
- 15 SUPPORT INDOOR UNIT FROM CEILING - BY GENERAL CONTRACTOR.
- 16 ELECTRICAL WORK FOR HEAT PUMP INSTALLATION INCLUDING UNIT POWER, DS, RECEPTACLE AND POWER AND CONTROL WIRING. EMR AND GROUNDING GRID CONDUCTOR TO BE PROVIDED BY ELECTRICAL CONTRACTOR.

- 17 NEW HEAT PUMP, INCLUDING INDOOR AND OUTDOOR UNITS, CEP, REFRIGERANT AND DRAIN PIPING, TEMPERATURE CONTROLS AND POWER AND CONTROL WIRING BETWEEN INDOOR AND OUTDOOR UNITS PROVIDED BY GENERAL CONTRACTOR.
- 18 PROVIDE NEW CBs AS INDICATED IN RFP-094 - BY ELECTRICAL CONTRACTOR.
- 19 DEMOLISH EXISTING A/C UNIT AND REBUILD AND REPAIR WALL TO EXISTING CONDITION. REPAIR SIMILAR TO WALL REPAIR DETAIL INCLUDED IN RFP-093 - BY GENERAL CONTRACTOR.
- 20 THERMOSTAT FURNISHED BY GENERAL CONTRACTOR, INSTALLED BY ELECTRICAL CONTRACTOR.
- 21 CONNECT TO EXISTING CBs IN RESPECTIVE PANELBOARDS; UPDATE DIRECTORY IN LP5B

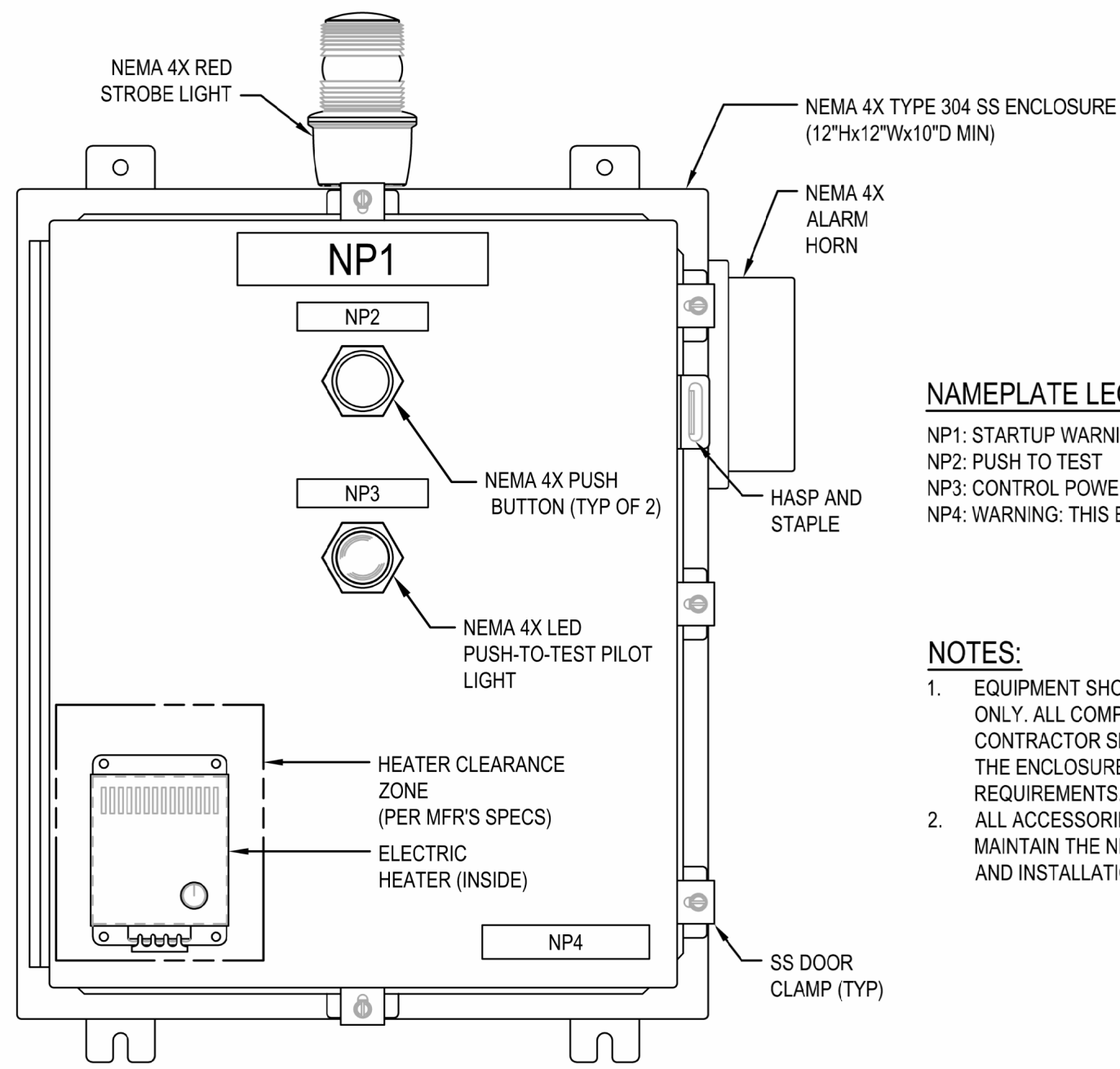


**SUSSEX COUNTY, DELAWARE
SCWRF NO.3 AND RBWWTP CIP PHASE 2
UPGRADES**

**FIGURE RFP-127-03
SCUM PUMP ELECTRICAL MODS**

Project No. **11121182**
Report No. **RFP-127**
Date **9/19/2025**

RFP-127-03



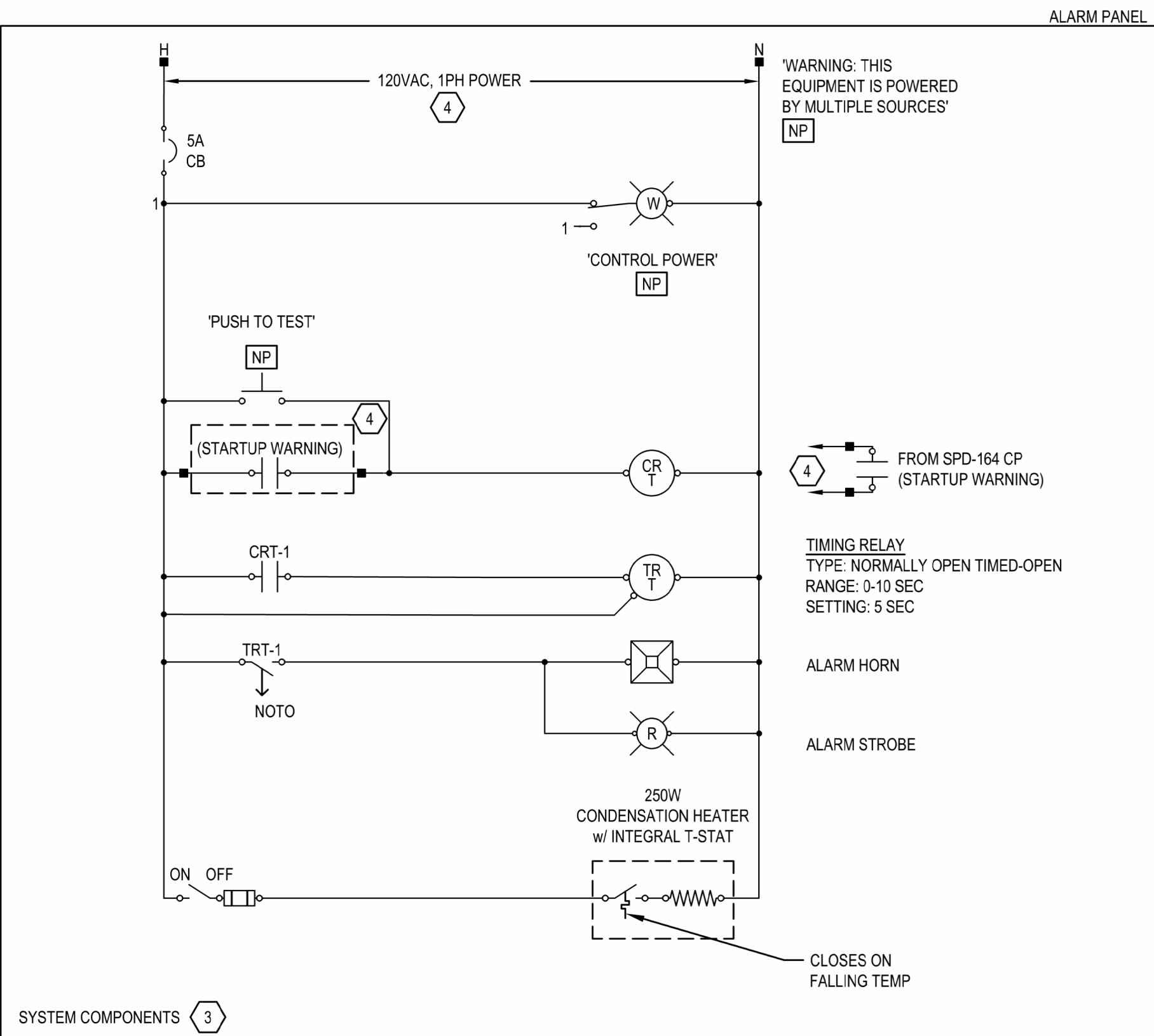
NAMEPLATE LEGEND

NP1: STARTUP WARNING AUDIBLE/VISUAL ALARM PANEL
NP2: PUSH TO TEST
NP3: CONTROL POWER
NP4: WARNING: THIS EQUIPMENT IS POWERED BY MULTIPLE SOURCES

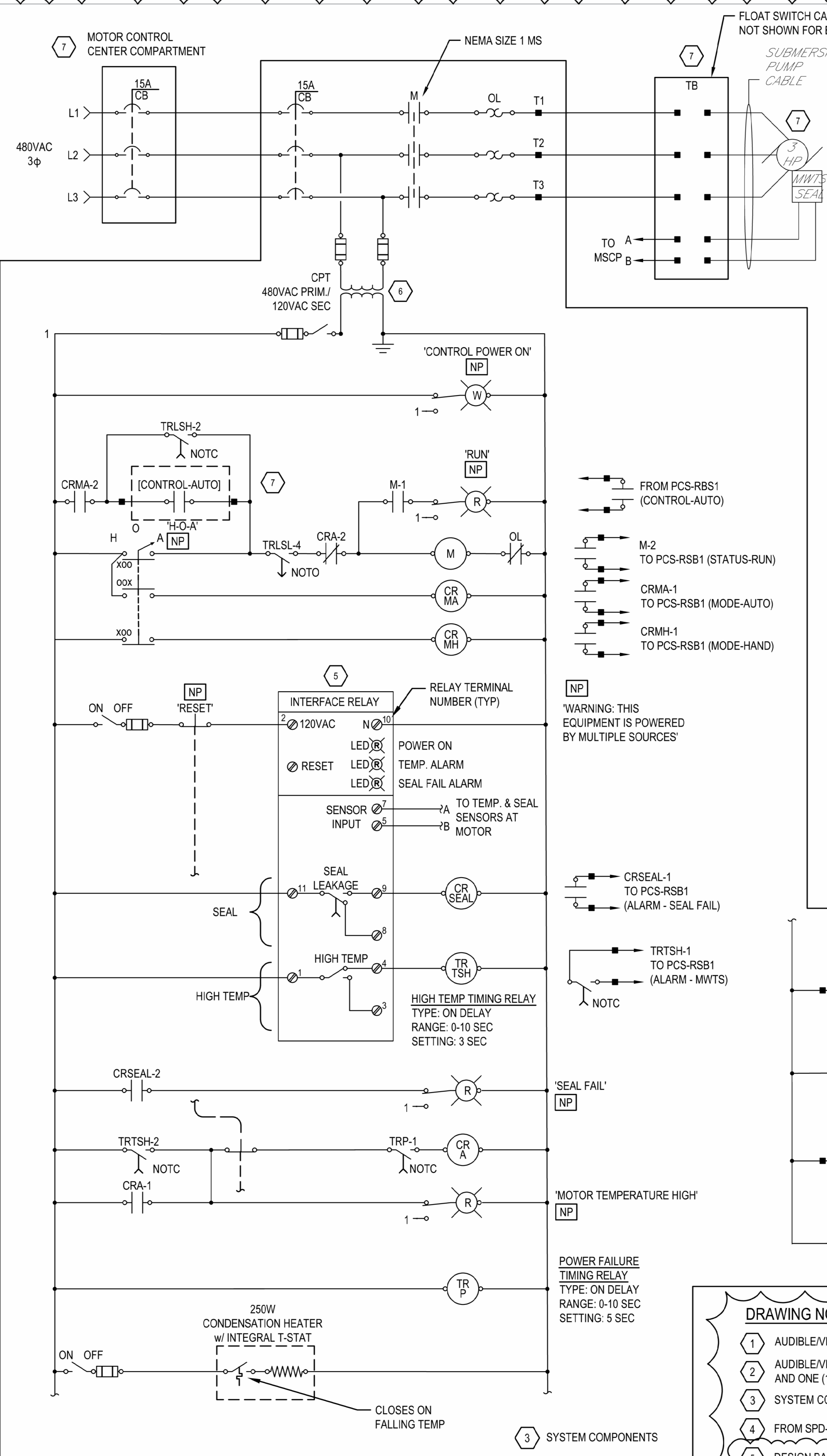
NOTES:

- EQUIPMENT SHOWN IN THE ENCLOSURE IS FOR GENERAL INFORMATION ONLY. ALL COMPONENTS/DEVICES MAY NOT BE SHOWN FOR BREVITY. CONTRACTOR SHALL COORDINATE FINAL SIZE AND ARRANGEMENT OF THE ENCLOSURE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
- ALL ACCESSORIES AND MODIFICATIONS TO THE ENCLOSURE SHALL MAINTAIN THE NEMA RATING OF THE ENCLOSURE AFTER FABRICATION AND INSTALLATION.

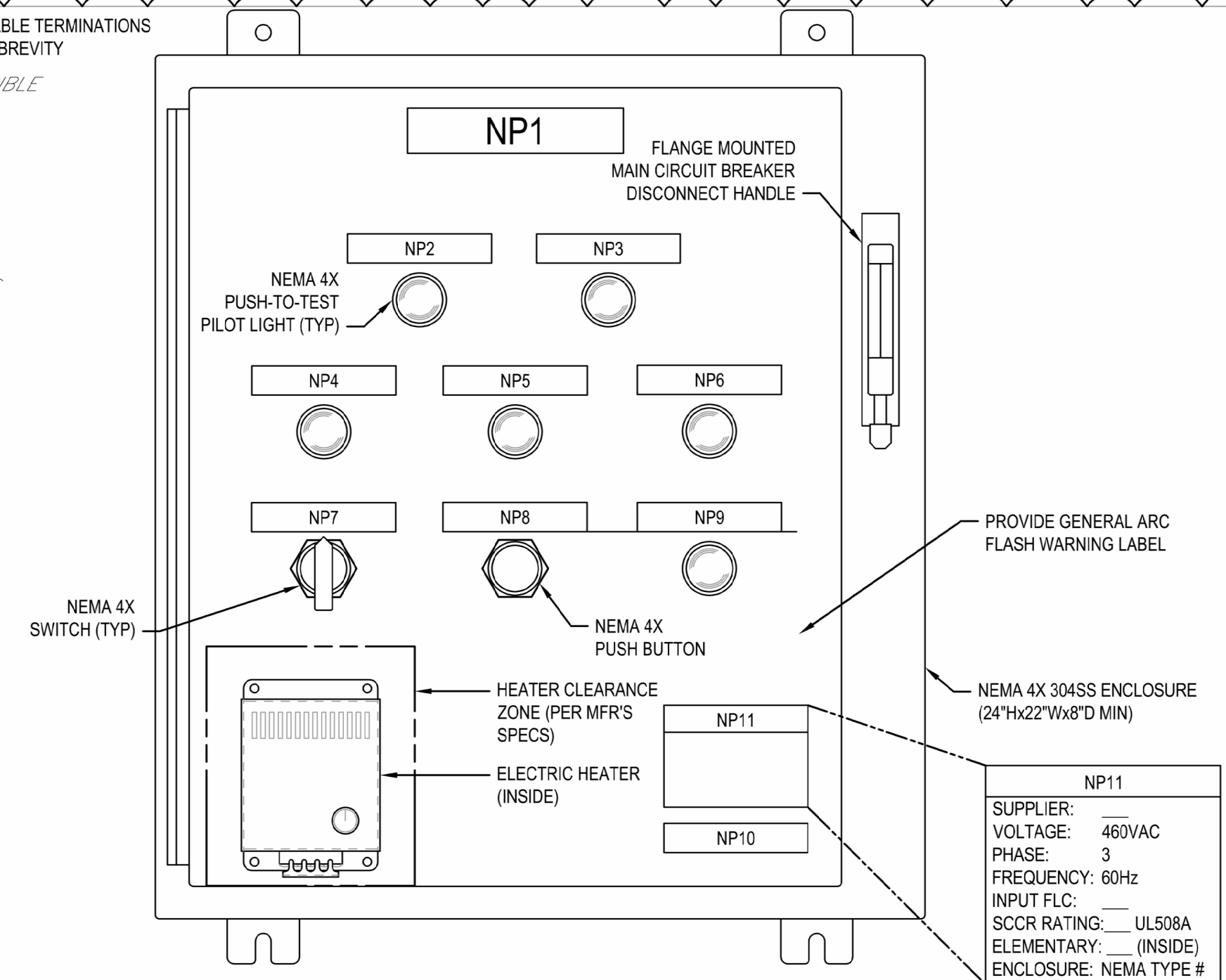
1 STARTUP WARNING AUDIBLE/VISUAL ALARM PANEL ELEVATION SCALE: NTS



2 STARTUP WARNING AUDIBLE/VISUAL ALARM PANEL ELEMENTARY DIAGRAM SCALE: NTS



4 SCUM PUMP SCP-1001 MSCP ELEMENTARY DIAGRAM SCALE: NTS



3 SCUM PUMP SCP-1001 MSCP ELEVATION SCALE: NTS

NAMEPLATE LEGEND

NP1: SCUM PUMP SCP-1001 MOTOR STARTER CONTROL PANEL
NP2: CONTROL POWER ON
NP3: RUN
NP4: MOTOR OVER TEMP
NP5: SEAL FAIL
NP6: HIGH-HIGH LEVEL
NP7: H-O-A
NP8: RESET
NP9: LOW-LOW LEVEL
NP10: WARNING: THIS EQUIPMENT IS POWERED BY MULTIPLE SOURCES
NP11: PANEL BUILDER/SUPPLIER CONTROL PANEL NAMEPLATE (REFER TO ELEVATION)

NOTES:

- EQUIPMENT SHOWN IN THE ENCLOSURE IS FOR GENERAL INFORMATION ONLY. ALL COMPONENTS/DEVICES MAY NOT BE SHOWN FOR BREVITY. CONTRACTOR SHALL COORDINATE FINAL SIZE AND ARRANGEMENT OF THE ENCLOSURE. REFER TO SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.
- ALL ACCESSORIES AND MODIFICATIONS TO THE ENCLOSURE SHALL MAINTAIN THE NEMA RATING OF THE ENCLOSURE AFTER FABRICATION AND INSTALLATION.

DRAWING NOTES:

- AUDIBLE/VISUALARM PANEL IS TYPICAL FOR TWO (2) PANELS LOCATED IN THE UPPER LEVEL OF THE HEADWORKS BUILDING.
- AUDIBLE/VISUALARM PANEL IS TYPICAL FOR THREE (3) PANELS LOCATED IN THE SLUDGE BUILDING, ONE (1) PANEL LOCATED AT THE WEST UNLOADING DOCK IN THE SLUDGE BUILDING, AND ONE (1) PANEL LOCATED IN THE CAKE STORAGE BUILDING.
- SYSTEM COMPONENTS: REFER TO SPECIFICATIONS FOR ADDITIONAL CONTROL COMPONENTS AND ACCESSORIES REQUIRED FOR EACH STARTER/VFD UNIT OR CONTROL PANEL.
- FROM SPD-164 CP FOR HEADWORKS, AND FROM CSCP IN SLUDGE BUILDING.
- DESIGN BASED ON MINCAS II BY FLYGT. RELAY PROVIDED BY CSI.
- CONTROL POWER TRANSFORMER (CPT): CPT SHALL BE SIZED TO POWER ALL COMPONENTS IN CONTROL CKT.
- FIELD DEVICE: EQUIPMENT OR COMPONENT LOCATED REMOTE FROM STARTER, VFD, OR PANEL.



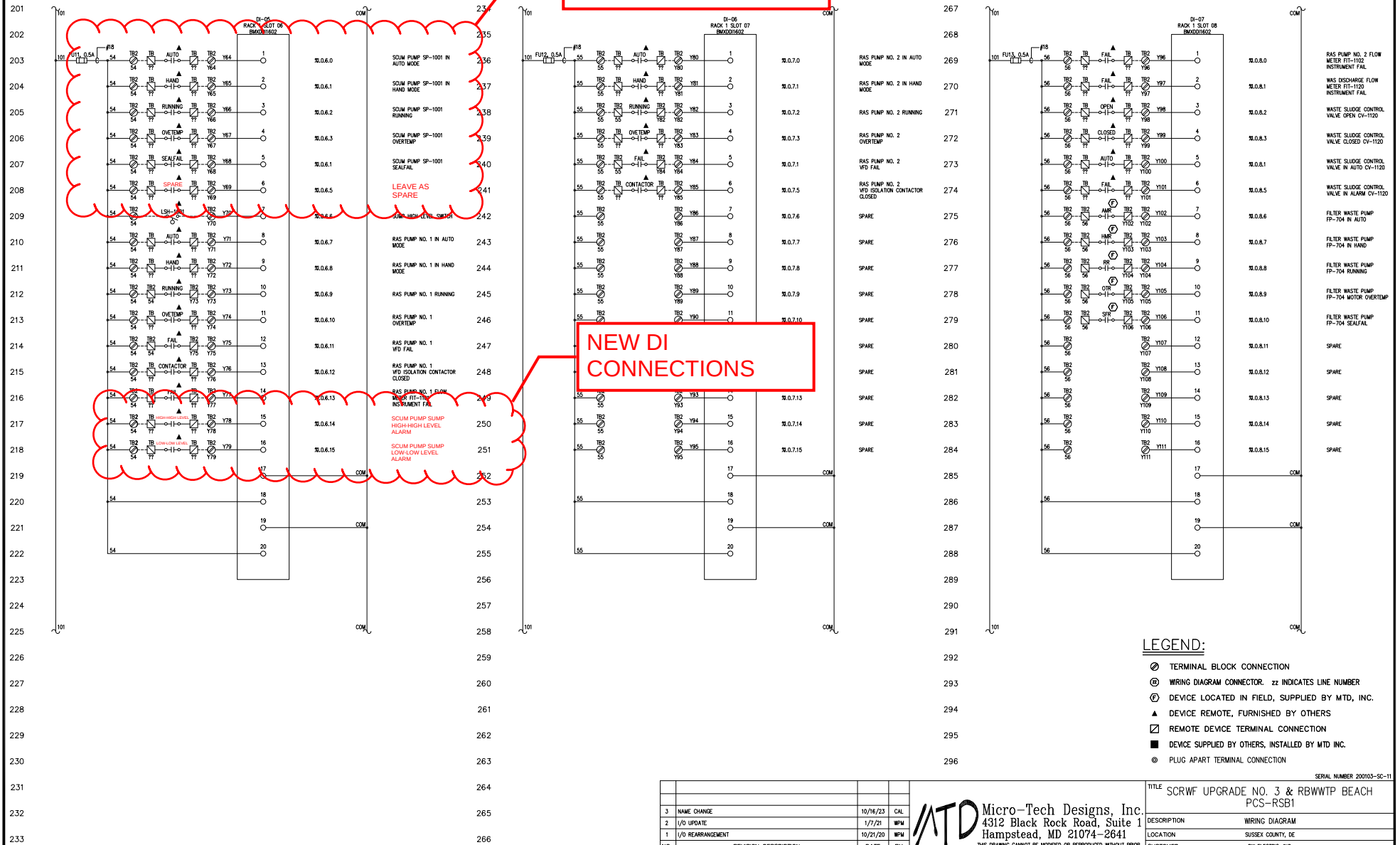
SUSSEX COUNTY, DELAWARE
SCWRF NO.3 AND RBWWTP CIP PHASE 2
UPGRADES
FIGURE RFP-127-04
SCUM PUMP ELECTRICAL MODS

Project No. 11121182
Report No. RFP-127
Date 9/19/2025

RFP-127-04

REMAKE ALL
CONNECTIONS WITH
NEW CONDUCTORS

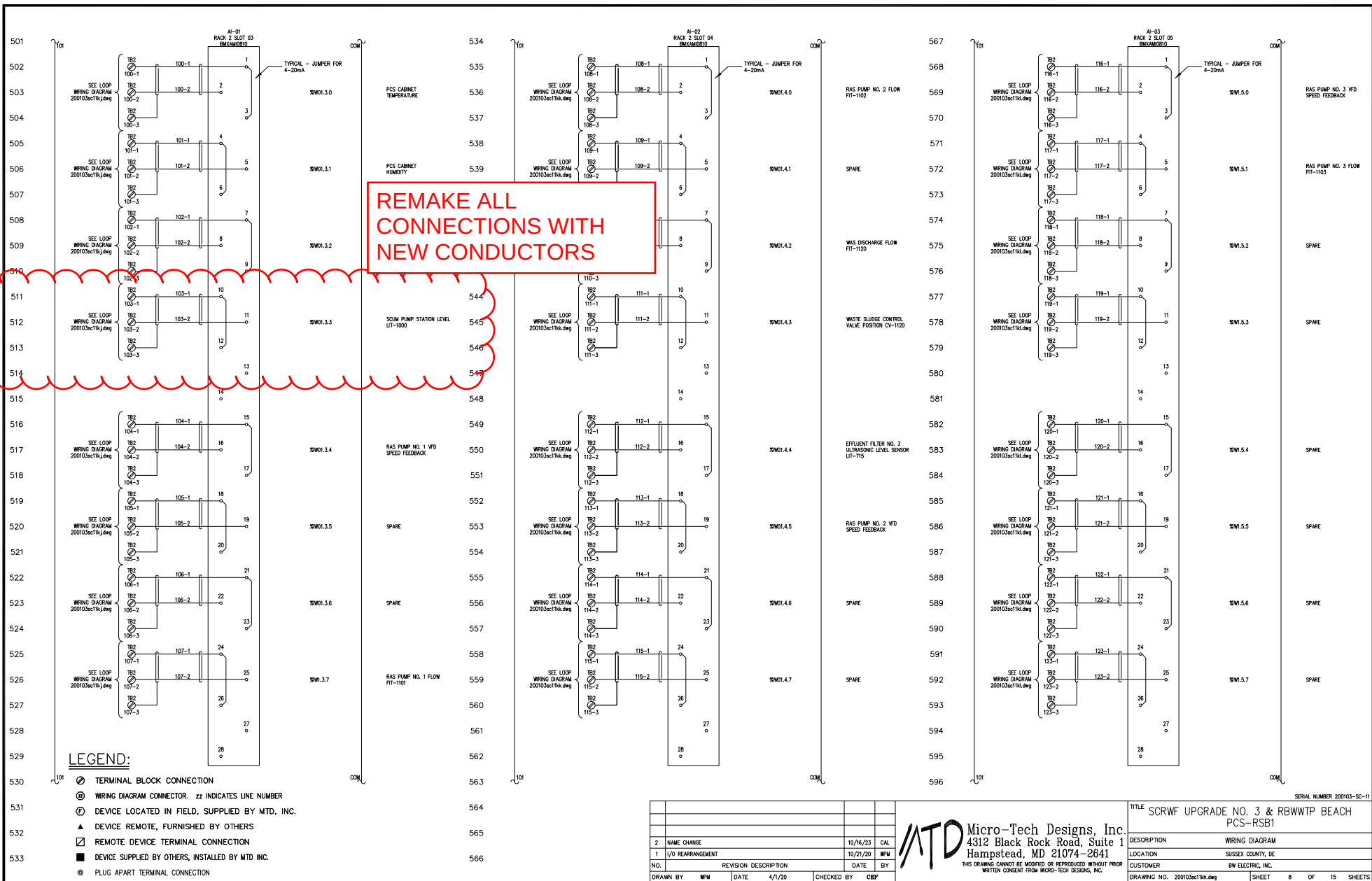
NEW DI
CONNECTIONS

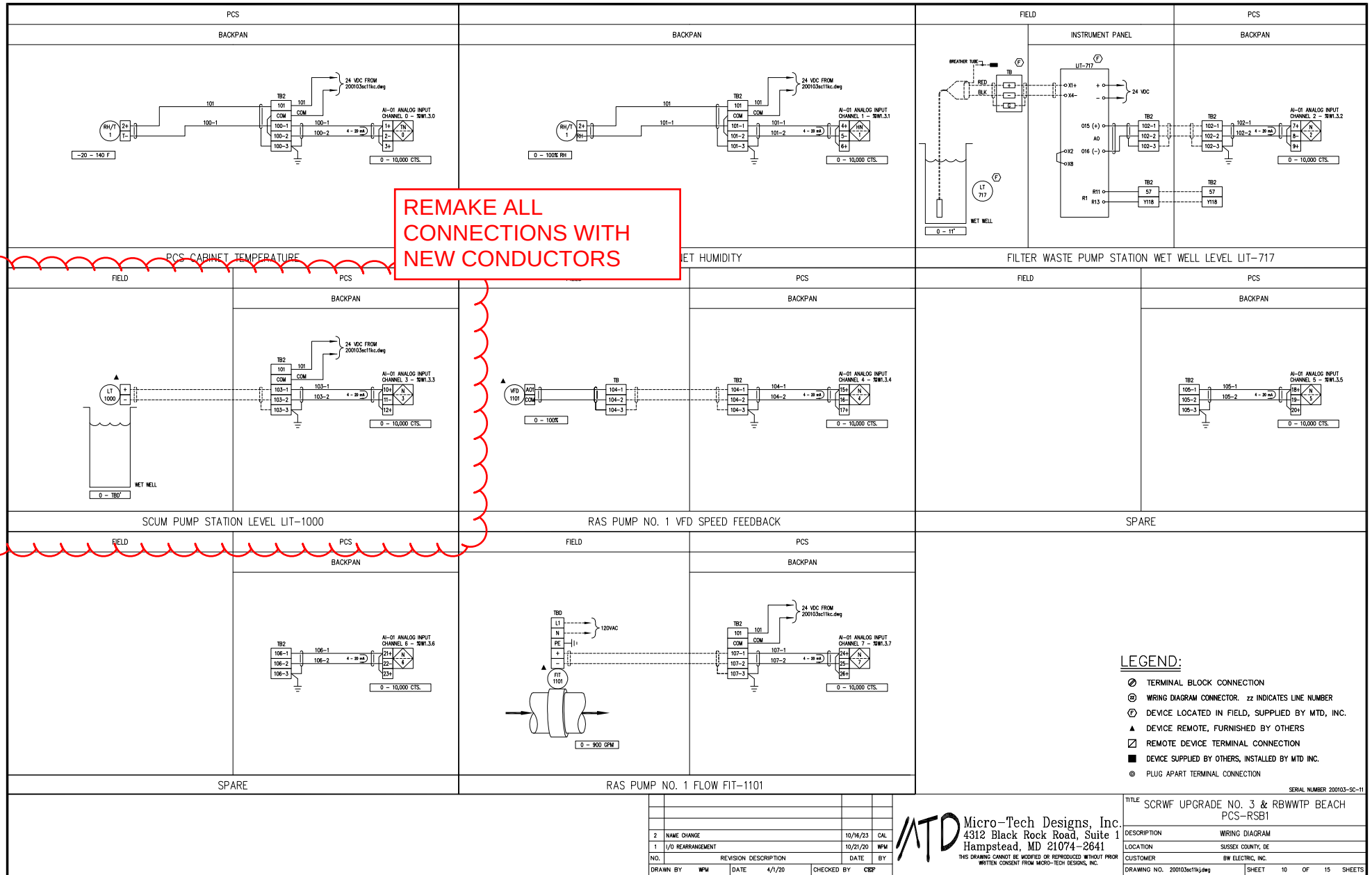


3 NAME CHANGE				10/16/23	CAL
2 I/O UPDATE				1/7/21	IPW
1 I/O REARRANGEMENT				10/21/20	IPW
NO. REVISION DESCRIPTION				DATE	BY
DRAWN BY	IPW	DATE	4/1/20	CHECKED BY	CBP

MTD Micro-Tech Designs, Inc.
4312 Black Rock Road, Suite 1
Hampstead, MD 21074-2641
THIS DRAWING CANNOT BE MODIFIED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT FROM MICRO-TECH DESIGNS, INC.

TITLE		SCRWF UPGRADE NO. 3 & RBWWTP BEACH PCS-RSBI	
DESCRIPTION		WIRING DIAGRAM	
LOCATION		SUSSEX COUNTY, DE	
CUSTOMER		BW ELECTRIC, INC.	
DRAWING NO.		200103scr11ee.dwg	
SHEET		5 OF 15 SHEETS	







Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	RFP-128		
RFP Subject	Digital Power Meter - Ethernet Module Relocation		
Issued By	B. Cardinal	Issue Date	8/15/2025

Description of proposed changes:

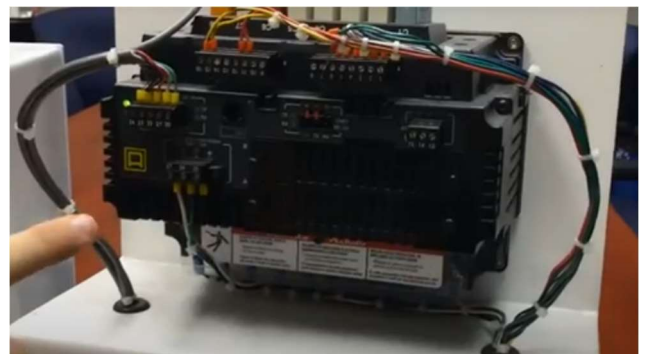
1. Relocate an existing PowerLogic 4000 series Ethernet communications module from an existing DPM on site to the existing DPM located in the SB-Admin, which currently does not have one.
2. Purchase a new PowerLogic 4000 series Ethernet communications module and turn over to the County as spare. Module may be purchased via the vendor indicated in the attached Figure RFP-128-1, or other vendor proposed by Contractor.

For Relocation of Existing Communications Module:

Option 1: Relocation from DPM located in existing switchboard in Electrical Building. If existing module does not exist or is damaged, use Option 2 relocation below.

Option 2: Relocation from DPM located in existing MCC in Sodium Hypochlorite Facility

Installation instructions are included herein below. They are also available from the video link here: [Bing Videos](#)



Installation Instructions

Pictured here are the Ethernet Communication Card (ECC) and the DPM module that houses it.

1. Power Down the Device

Before beginning installation, ensure the device is **fully powered off**:

- Confirm that the **status LED** in the top left corner is **not illuminated**.
- Use a **multimeter** on the indicated terminal block to verify **no voltage** is present.

2. Remove the Slot A Cover

- The ECC must be installed in Slot A of the DPM.
- Using your hand, remove the screws securing the Slot A cover plate.

3. Install the ECC Module

- Align the ECC with Slot A and carefully slide it into place.
- Ensure the connector at the back of the ECC is fully seated into the internal port of the DPM.
- Secure the ECC to the DPM using the screws attached to the module.

4. Restore Power and Verify Operation

- Reapply power to the device.
- Confirm that the **DPM status LED** in the top left corner is lit.
- After a few seconds, verify that the **ECC indicator LEDs** also illuminate, indicating successful communication and power-up.

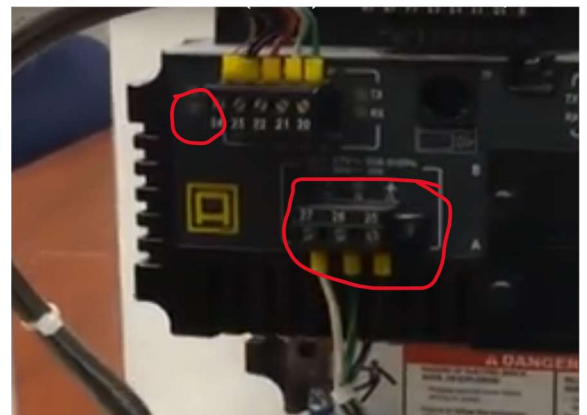




FIGURE RFP-128-01



Quoted on 7/7/2025

Quote #7725-78904

MRO Electric and Supply

1652 Old Apex Road
Cary, North Carolina 27513 USA
Tel 1: 1-800-691-8511
Tel 2: 1-919-367-6379
Fax 1: 1-919-415-1614
mroelectric.com

Customer Information

robert.cardinal@ghd.com

Quote Items

Qty	Part Number	Description	New Unit Price
1	ECC21 2 Year Warranty	ETHERNET CARD FOR CM3000/4000	\$1,697.00 3-5 Days
Total:			\$1,697.00

Thank you for considering MRO Electric & Supply Company.
Best Regards,
Joe Kaminski
jkaminski@mroelectric.com

Shipping

We offer free ground shipping within the continental US for orders under 20lbs. We ship via all major carriers and can bill a customer's shipping account if need be. Orders for stock items placed before 4PM eastern will ship out the same day, and we are able to accommodate after hours rush orders as well.

Payment

We accept all major credit cards, and wire transfers for international orders. We can also set up terms of Net 30 with established customers. Prices quoted are in USD.

Core Exchange & Repair

Our core exchange program offers you credit for your faulty items, please ask about getting an RMA to send your core in with for credit. You can also send in your unit to be repaired, our standard turnaround for repairs is 5-7 days, and all of our repaired items look like new, and come with a 2 year warranty.

Quotes are valid for 30 Days based on availability. This quote contains confidential and privileged information belonging to the sender or intended recipient. If you are not the intended recipient you are hereby notified that any disclosure, copying, use, distribution, or taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this e-mail in error, please notify us by reply email to sales@mroelectric.com. Returns are accepted within 30 days, restocking fees may apply. This website is not sanctioned or approved by any manufacturer or trade name listed. We are not an authorized distributor or representative for the listed manufacturers. Brand names, brands, and designated trademarks appearing herein are the property of their respective owners.



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	RFP-130		
RFP Subject	Install Replacement T-M CBs		
Issued By	B. Cardinal	Issue Date	8/17/2025

Description of proposed changes:

Labor to remove newly installed MCPs from motor starter compartments per listing included in FO-058, install newly furnished T-M circuit breakers in corresponding MCC compartments per figure included in FO-058, and test corresponding motorized equipment in the presence of the Engineer.

Provide two separate prices for labor: 1) for installation of T-M CBs to replace MCPs at SCRWF and 2) for ~~installation of T-M CBs to replace MCPs at RBWWTP.~~ **PRICING SCRWF BREAKERS ONLY**



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	RFP-131		
RFP Subject	Surge Tank Overflow Weir Gate Ultrasonic Level Sensor Installation		
Issued By	B. Cardinal	Issue Date	10/6/2025

Description of proposed changes:

Install the spare Ultrasonic Level Sensor (ULS) furnished on this project at the Surge Overflow Weir Gate at the Headworks: Work shall include the following:

1. ULS Installation
 - 1.1. Utilize the furnished spare ULS.
 - 1.2. Install Level Element (LE) upstream of Weir Gate WG-120 at the location shown on the attached figure.
 - 1.3. Install Level Indicating Transmitter (LIT) nearby, at an elevation above the Hazardous Location boundary.
 - 1.3.1. Install a new Equipment Mounting Rack (EMR) or modify the existing EMR containing WG-120/121/122 disconnect switches to mount the LIT.
 - 1.4. Re-calibrate the LE/LIT to read accurately from the finished floor of the inside of the tank.
2. Power and Control Conductors
 - 2.1. Provide new power wiring between GPHW and the new LIT.
 - 2.2. Provide new control wiring between PCS-HW and the new LIT.
 - 2.3. Provide separate conduits for power and control wiring.
 - 2.4. Provide conduit for manufacturer's cable between LIT and LE.
 - 2.5. Use the spare breaker in GPHW circuit No. 4 to provide power to the newly installed LE/LIT.
3. PCS-HW I/O
 - 3.1. Use one spare DI point per attachment
 - 3.2. Use one spare AI point per attachment
4. Field Testing
 - 4.1. Perform point-to-point testing for PCS I/O.
 - 4.2. Assist with functional testing of newly installed ULS.
 - 4.3. Training not required.

Contractor shall verify all existing conditions in the field prior to construction.



- Data Source:

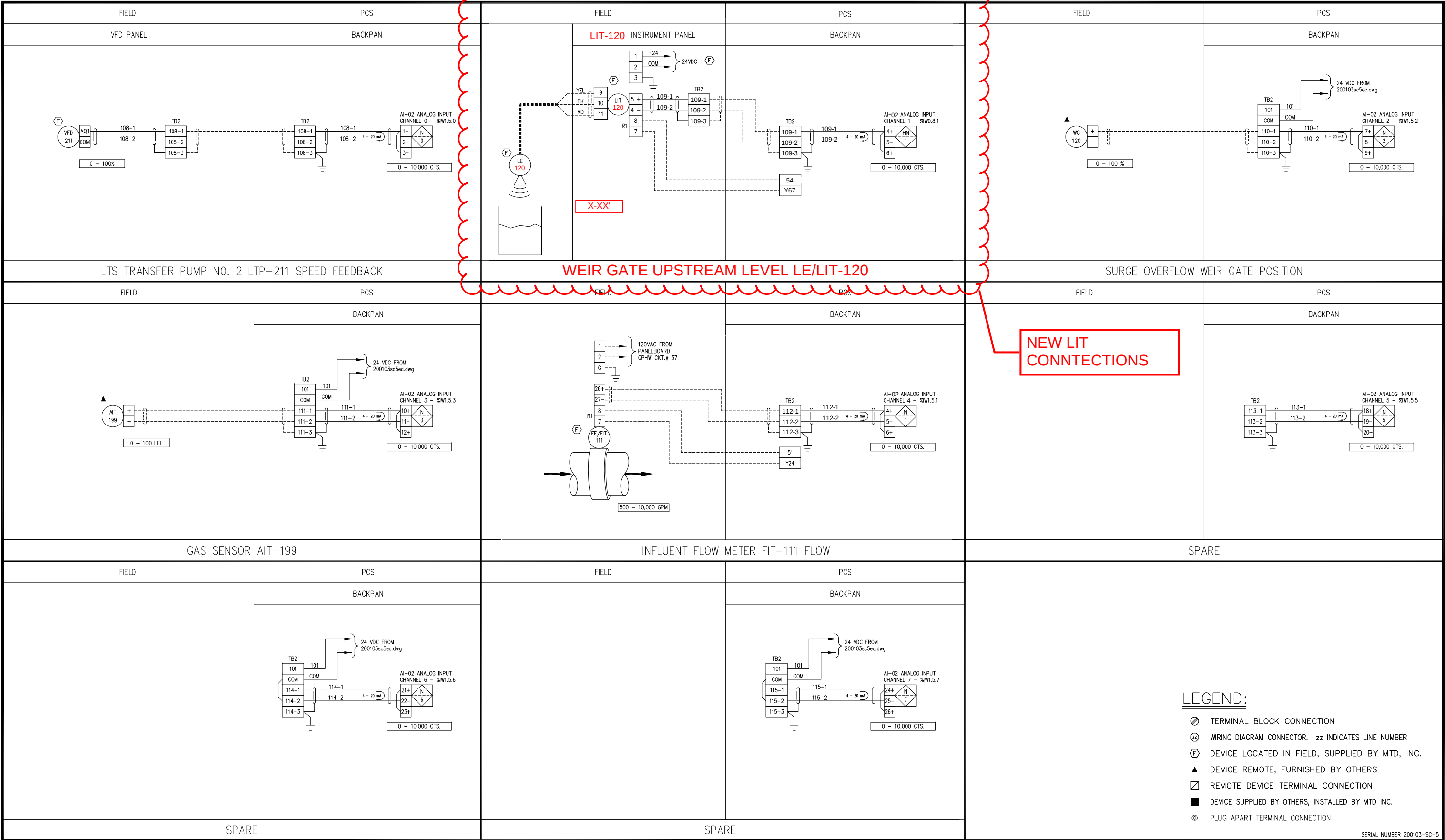
NEW DI CONNECTION

- LEGEND:
- ⊗ TERMINAL BLOCK CONNECTION
 - Ⓢ WIRING DIAGRAM CONNECTOR. zz INDICATES LINE NUMBER
 - Ⓢ DEVICE LOCATED IN FIELD, SUPPLIED BY MTD, INC.
 - ▲ DEVICE REMOTE, FURNISHED BY OTHERS
 - Ⓢ REMOTE DEVICE TERMINAL CONNECTION
 - DEVICE SUPPLIED BY OTHERS, INSTALLED BY MTD INC.
 - ⊙ PLUG APART TERMINAL CONNECTION

3	UPDATED PER RFP-048	12/28/21	WPM
2	I/O UPDATE	1/7/21	WPM
1	I/O REARRANGEMENT	10/21/20	WPM
NO.	REVISION DESCRIPTION	DATE	BY
DRAWN BY	WPM	DATE 4/1/20	CHECKED BY CBF

MTD Micro-Tech Designs, Inc.
4312 Black Rock Road, Suite 1
Hampstead, MD 21074-2641
THIS DRAWING CANNOT BE MODIFIED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT FROM MICRO-TECH DESIGNS, INC.

TITLE	SCRWF UPGRADE NO. 3 & RBWWTP BEACH PCS-HW
DESCRIPTION	WIRING DIAGRAM
LOCATION	SUSSEX COUNTY, DE
CUSTOMER	BW ELECTRIC, INC.
DRAWING NO.	200103sc5ee.dwg
SHEET	5 OF 17 SHEETS



NEW LIT
CONNECTIONS

- LEGEND:
- ⊗ TERMINAL BLOCK CONNECTION
 - Ⓩ WIRING DIAGRAM CONNECTOR. zz INDICATES LINE NUMBER
 - ⓕ DEVICE LOCATED IN FIELD, SUPPLIED BY MTD, INC.
 - ▲ DEVICE REMOTE, FURNISHED BY OTHERS
 - ⓧ REMOTE DEVICE TERMINAL CONNECTION
 - DEVICE SUPPLIED BY OTHERS, INSTALLED BY MTD INC.
 - Ⓢ PLUG APART TERMINAL CONNECTION

1	I/O REARRANGEMENT	10/21/20	WPM
NO.	REVISION DESCRIPTION	DATE	BY
DRAWN BY	WPM	DATE	4/1/20
CHECKED BY	CEP		



Micro-Tech Designs, Inc.
4312 Black Rock Road, Suite 1
Hampstead, MD 21074-2641
THIS DRAWING CANNOT BE MODIFIED OR REPRODUCED WITHOUT PRIOR WRITTEN CONSENT FROM MICRO-TECH DESIGNS, INC.

TITLE		SCRWF UPGRADE NO. 3 & RBWWTP BEACH PCS-HW	
DESCRIPTION		WIRING DIAGRAM	
LOCATION		SUSSEX COUNTY, DE	
CUSTOMER		BW ELECTRIC, INC.	
DRAWING NO.	200103sc5el.dwg	SHEET	12 OF 17 SHEETS

SERIAL NUMBER 200103-SC-5



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	RFP-132		
RFP Subject	Permanent Mixer Relocation		
Issued By	B. Cardinal	Issue Date	10/7/2025

Description of proposed changes:

Relocate terminal boxes and disconnect switches on the bridge wings of Sludge Lagoon C for the permanent relocation of mixers from Lagoons A and B (one from each lagoon). Restore power to two (2) Lagoon C Decant pumps. Work shall include the following:

1. Restoration of Lagoon C Decant Pump Operation.
 - 1.1. The County will perform the following work:
 - 1.1.1. Disconnect the mixers and corresponding cables in Lagoon C from temporary power connections in the decant pump LCPs (typ. for 2 locations).
 - 1.1.2. Restore wiring in the two decant pump LCPs per SC-E4230.
 - 1.1.3. Remove the temporary wiring installed by County in MCC-1B between mixer motor starter and decant pump motor starters (typ. for 2 sets of motor starters).
 - 1.1.4. Reconnect decant pump power in MCC-1B for two decant pump circuits
 - 1.1.5. Restore wiring for mixer control per SC-E4224 for two mixer circuits
2. Equipment Numbering and Arrangement
 - 2.1. Mixer tag numbers and corresponding mixer locations in lagoons have been modified from original conformed drawings to indicate the actual placement of mixers and corresponding circuits.
3. Disconnect Switches and Terminal Boxes
 - 3.1. Relocate disconnect switches and terminal boxes for mixers (one each in Lagoon A and Lagoon B; south side of lagoons) to Lagoon C. Locate these on the bridge wings of Sludge Lagoon C, such that there is sufficient length for the reused conductors from Lagoons A and B.
 - 3.2. Provide new EMRs for mounting of disconnect switches and terminal boxes on Lagoon C walkways.
4. Power and Control Conductors
 - 4.1. Disconnect power and control conductors from currently installed mixer disconnect switches and terminal boxes; one each from Lagoon A and Lagoon B; south side of lagoons
 - 4.2. Pull conductors back to the closest currently installed corresponding handhole (HH2 and HH9) located on the south side of Lagoon A and Lagoon B, and repull conductors to relocated disconnect switches on corresponding walkways on Lagoon C.
 - 4.3. Provide new penetrations in currently installed handholes, and provide new underground and exposed conduit (PVC coated GRS) from handholes to the relocated mixer disconnect switches.

GHD

16701 Melford Boulevard Suite 330 Bowie Maryland 20715 USA
T 240 206 6810 F 240 206 6811 W www.ghd.com

G:\111\11121182 South Coastal Expansion\TECH\Construction\Work Changes\Request for Proposals\RFP-132 Permanent Relocation of Lagoon A-B Mixer\RFP-132 Permanent Relocation of Sludge Lagoon Mixers.docx



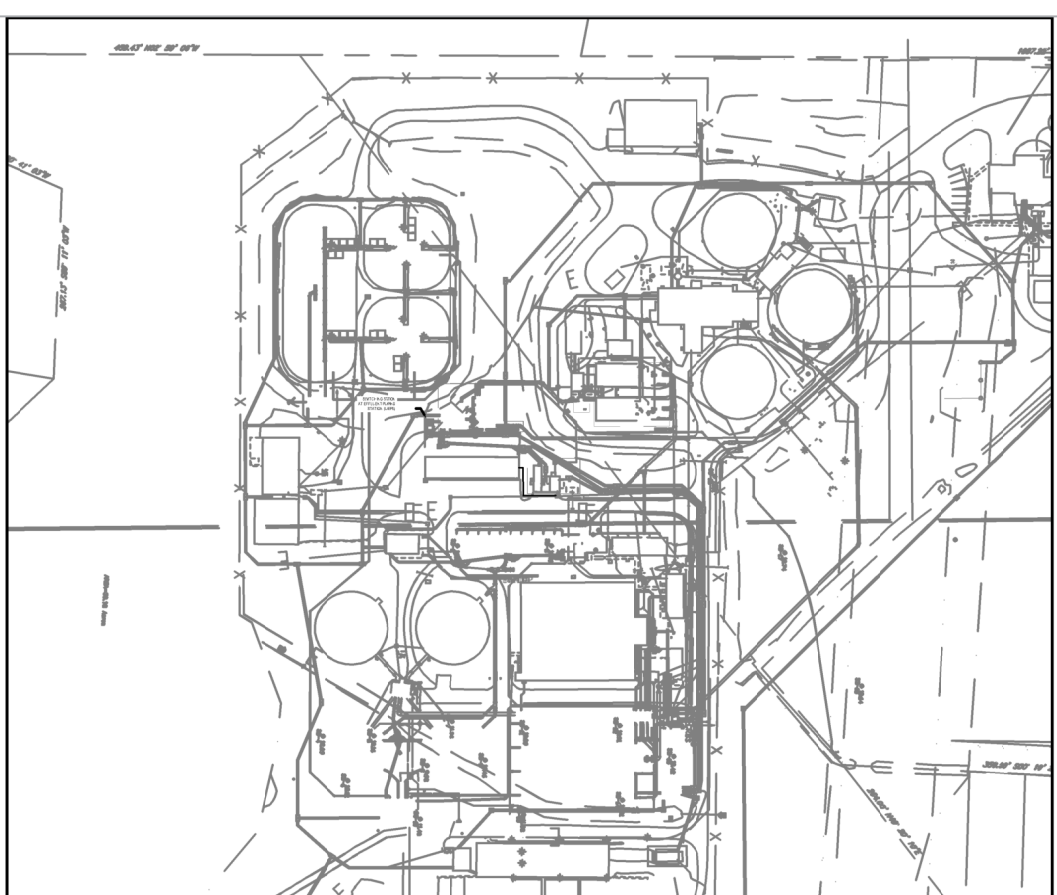
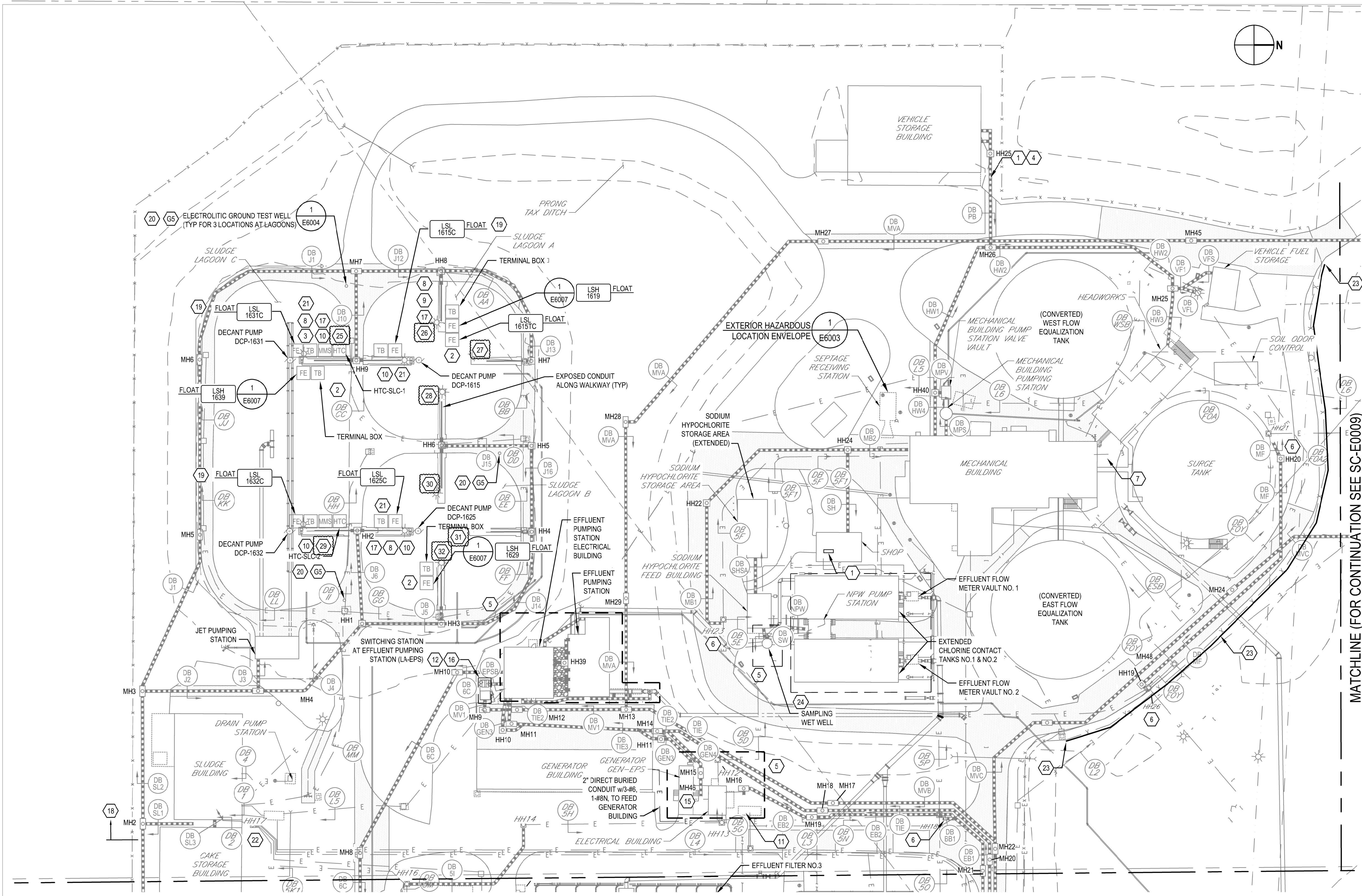


- 4.4. Provide new conduit and wiring between relocated mixer disconnect switches and corresponding relocated terminal boxes
- 4.5. Connect mixer manufacturer's cable to the relocated terminal boxes.

5. Field Testing

- 5.1. Assist with functional testing of relocated mixers.

Contractor shall verify all existing conditions in the field prior to construction.



KEY PLAN

NOT TO SCALE

DRAWING NOTES:

- REFEED PANELBOARD IN SHOP ELECTRICAL ROOM. REFER TO POWER DISTRIBUTION ONE-LINE DIAGRAM AND MECHANICAL BUILDING MCC-MB ONE-LINE DIAGRAM AND ELEVATIONS DRAWING FOR MORE INFORMATION.
- PROVIDE NEW FLOAT SWITCHES AND JUNCTION BOXES AT EACH LAGOON.
- REFEED EXISTING WALKWAY LIGHTS AND RECEPTACLES WITH NEW CONDUITS ALONG WALKWAY. TYPICAL FOR LAGOON A, LAGOON B AND LAGOON C. (TOTAL OF 10 FIXTURES AND RECEPTACLES)
- CONTRACTOR SHALL INTERCEPT EXISTING DUCT BANK. VERIFY EXISTING CONDUIT SIZE INTO VEHICLE STORAGE BUILDING.
- REFER TO PARTIAL ELECTRICAL SITE PLAN - NORTH AND ENLARGED PLANS DRAWING FOR MORE DETAIL.
- CONNECT NEW DUCT BANK TO EXISTING HANDHOLE.
- EXISTING OVERHEAD CONDUIT WITH FIBER OPTIC CABLE FROM MECHANICAL BUILDING TO HEADWORKS BUILDING.
- CONTRACTOR SHALL COORDINATE DUCT BANK EXCAVATION AROUND LAGOONS WITH COUNTY. SLUDGE LEVEL IN LAGOONS SHALL BE AT COUNTY DETERMINED MAXIMUM LEVEL PRIOR TO START OF EXCAVATION.
- PROVIDE TEMPORARY CIRCUIT, FLOAT SWITCH, LCP AND DISCONNECT SWITCH FOR DECANT PUMP DCP-1615. TEMPORARY CIRCUIT, FLOAT SWITCH, LCP AND DISCONNECT SWITCH SHALL REMAIN.
- PROVIDE PERMANENT CIRCUIT, LCP AND DISCONNECT SWITCH FOR NEW DECANT PUMP.
- PROVIDE NEW MANHOLE TO INTERCEPT EXISTING DUCT BANK. REMOVE EXISTING PMT FOR LA-5 AND REMOVE PORTION OF CONCRETE PAD TO ALLOW INSTALLATION OF NEW MANHOLE AND DUCT BANK. EXISTING LA-5 SWITCHING STATION SHALL REMAIN IN PLACE UNTIL EXISTING SERVICE AND 12.47KV LOOP IS REMOVED.
- REFER TO SWITCHING STATION - BLOWER BUILDING NO. 2 AND EFFLUENT PUMPING STATION DRAWING FOR ADDITIONAL DUCT BANK SECTION MARKERS AND DETAILS.
- NOT USED.
- REFER TO INDIVIDUAL PLANS FOR BUILDINGS AND STRUCTURES FOR EXTERIOR MOUNTED PULL BOXES.
- PROVIDE NEW MANHOLE TO INTERCEPT EXISTING DUCT BANK. REFER TO CIVIL PLANS FOR RESURFACING REQUIREMENTS. FINAL RESURFACING TO BE BY GENERAL CONTRACTOR.
- GENERAL CONTRACTOR TO PROVIDE FROST PROTECTED CEP FOR EQUIPMENT. REFER TO STRUCTURAL DRAWINGS FOR DETAILS.
- REFER TO RISER DIAGRAM FOR EQUIPMENT TO BE PROVIDED AT SLUDGE LAGOONS AND FOR EXISTING EQUIPMENT TO BE REFEED AT SLUDGE LAGOONS.
- FOR DC CIRCUITS INSTALLED IN MANHOLES AND HANDHOLES BETWEEN SLUDGE BUILDING AND LAGOONS. SEGREGATE DC CIRCUITS FROM POWER CIRCUITS USING CONDUIT, BOXES AND FITTINGS AS DEPICTED IN DETAIL 3 ON SHEET E6007.
- PROVIDE FLOAT SWITCHES ATTACHED TO DECANT PUMP SUPPORTS SUCH THAT FLOAT SWITCH ACTIVATES 6" ABOVE LEVEL OF PUMP INTAKE.
- PROVIDE ELECTROLYTIC GROUND TEST WELL WITH GROUND ROD AT THREE (3) LOCATIONS AROUND LAGOONS. PROVIDE BELOW GRADE GROUNDING GRID CONDUCTOR, #4/0 AWG TO INTERCONNECT GROUND RODS AND ESTABLISH A GROUND GRID AROUND THE WEST, NORTH AND EAST SIDES OF THE LAGOON PERIMETER. PROVIDE #4/0 GROUNDING GRID CONDUCTORS TO CONNECT THIS GRID TO EMRS MOUNTED ON WALKWAYS, AND TO THE EXISTING METAL COMPONENTS ON THE LAGOON WALKWAYS. GROUNDING GRID CONDUCTORS NOT SHOWN FOR BREVITY.
- PROVIDE EQUIPMENT MOUNTING RACKS (EMRS) ON ALL WALKWAYS IN LAGOONS A, B AND C TO MOUNT ELECTRICAL PANELS AND EQUIPMENT. EQUIPMENT MOUNTING RACKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH DETAIL 5/E6003. CONNECT EMRS TO LAGOON GROUND GRID. EMRS ON WALKWAYS NOT SHOWN FOR BREVITY (TYP FOR 10 WALKWAYS).
- FORMERLY LABELED HH-1
- EXTENT OF NEW FENCING. PROVIDE GROUNDING PER DETAIL 7/E6007 AT END POINTS OF NEW FENCING AND EVERY 30 FT ALONG NEW FENCING.
- REFER TO CHLORINE CONTACT TANKS AND FLOW METER VAULT NO. 1 & 2 FOR MORE DETAILS.

MATCHLINE (FOR CONTINUATION SEE SC-E0008)

1 PARTIAL ELECTRICAL SITE PLAN - WEST 14

SCALE: 1" = 40'-0"

25	LOCATION OF CURRENTLY INSTALLED MIXER MX-1611.	29	LOCATION OF CURRENTLY INSTALLED MIXER MX-1621.
26	LOCATION OF CURRENTLY INSTALLED MIXER MX-1612.	30	LOCATION OF CURRENTLY INSTALLED MIXER MX-1622.
27	LOCATION OF CURRENTLY INSTALLED MIXER MX-1613.	31	LOCATION OF CURRENTLY INSTALLED MIXER MX-1623.
28	LOCATION OF CURRENTLY INSTALLED MIXER MX-1614.	32	LOCATION OF CURRENTLY INSTALLED MIXER MX-1624.

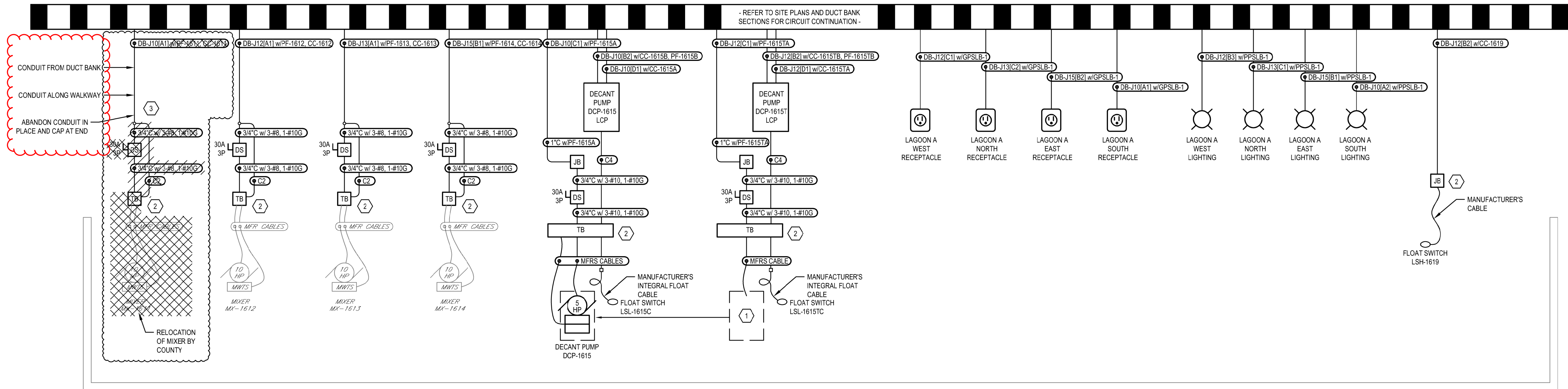


SUSSEX COUNTY, DELAWARE
SCWRF NO.3 AND RBWWTP CIP PHASE 2
UPGRADES

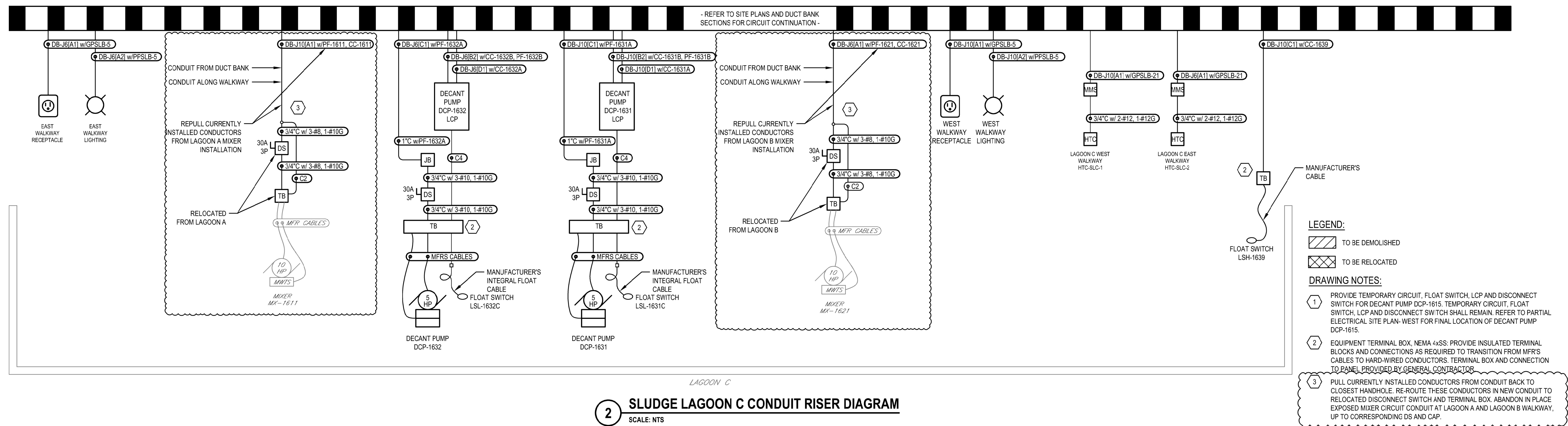
FIGURE RFP-132-01
PERMANENT MIXER RELOCATION

Project No. 11121182
Report No. RFP-131
Date 10/7/2025

RFP-132-01



1 SLUDGE LAGOON A CONDUIT RISER DIAGRAM
SCALE: NTS



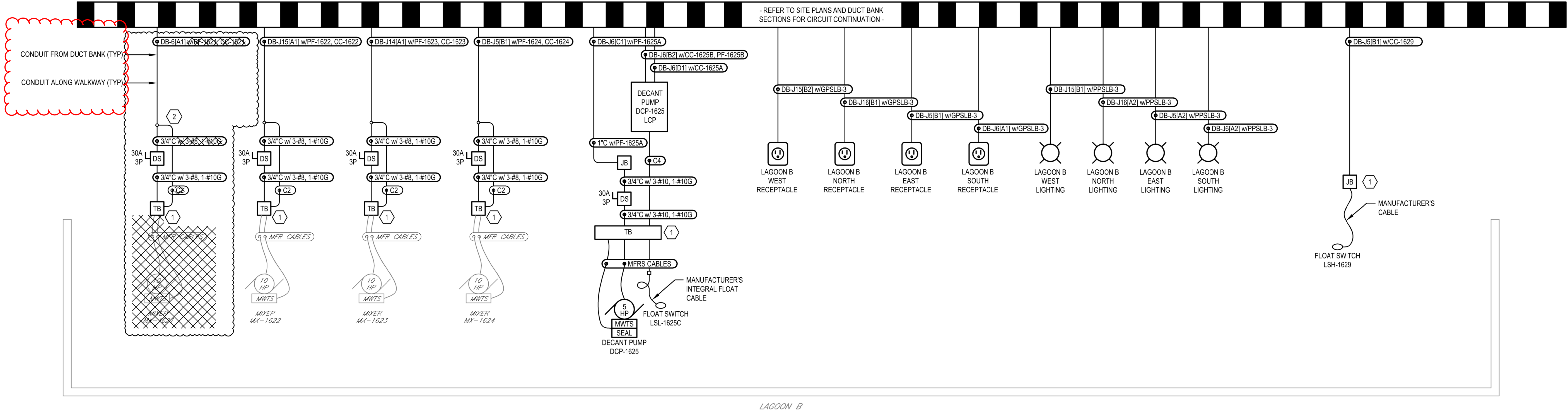
2 SLUDGE LAGOON C CONDUIT RISER DIAGRAM
SCALE: NTS



SUSSEX COUNTY, DELAWARE
SCWRP NO.3 AND RBWWTP CIP PHASE 2
UPGRADES
FIGURE RFP-132-02
PERMANENT MIXER RELOCATION

Project No. 11121182
Report No. RFP-132
Date 10/7/2025

RFP-132-02



1 SLUDGE LAGOON B CONDUIT RISER DIAGRAM

SCALE: NTS

LEGEND:

- TO BE DEMOLISHED
- TO BE RELOCATED

DRAWING NOTES:

- 1 EQUIPMENT TERMINAL BOX, NEMA 4xSS: PROVIDE INSULATED TERMINAL BLOCKS AND CONNECTIONS AS REQUIRED TO TRANSITION FROM MFR'S CABLES TO HARD-WIRED CONDUCTORS. TERMINAL BOX AND CONNECTION TO PANEL PROVIDED BY GENERAL CONTRACTOR
- 2 PULL EXISTING CONDUCTORS FROM CONDUIT BACK TO CLOSEST HANDHOLE. RE-ROUT THESE CONDUCTORS IN NEW CONDUIT TO NEW DISCONNECT SWITCH AND TERMINAL BOX. LEAVE EXISTING DISCONNECT SWITCH AND TERMINAL BOX WITH INTERCONNECTING WIRING AND LABEL "ABANDONED IN PLACE"



SUSSEX COUNTY, DELAWARE
SCWRF NO.3 AND RBWWTP CIP PHASE 2
UPGRADES

FIGURE RFP-132-03
PERMANENT MIXER RELOCATION

Project No. 11121182
Report No. RFP-132
Date 10/6/2025

RFP-132-03



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: November 14, 2025

RE: County Council Report for C/U 2510 filed on behalf of Henry Villegas-Solis

The Planning and Zoning Department received an application (C/U 2510 filed on behalf of Henry Villegas-Solis) for a Conditional Use for an auto repair shop in a B-1 Neighborhood Business Zoning District at Tax Parcels 234-32.00-67.00. The property is located at 28375 and 28377 Layton Avenue, Millsboro. The parcel size is 0.61 ac. +/-

The Planning & Zoning Commission held a Public Hearing on the application on September 3, 2025. At the conclusion of the meeting, the Commission held the public record open to receive additional information. At the meeting of October 1, 2025, the Planning & Zoning Commission received the requested information from staff and closed the Public Record on the application. Action on the application was then deferred for further consideration.

The County Council held a Public Hearing on the application at the meeting on October 7, 2025. As a recommendation from the Planning & Zoning Commission had not been received, Council deferred action on the application, leaving the record open to receive a recommendation from the Planning & Zoning Commission, followed by a five-day period for additional public comment in writing. Below is a link to the minutes of the October 7, 2025, County Council Meeting:

[Link to the Minutes of the October 7, 2025 County Council Meeting](#)

On October 15, 2025, the Planning and Zoning Commission recommended that the County Council approved the application for the 5 reasons and subject to the 15 recommended conditions of approval as outlined in the Commission's motion.



Below are the minutes from the Planning & Zoning Commission meeting on September 3, 2025, October 1, 2025, and October 17, 2025.

Minutes of the September 3, 2025, Planning & Zoning Commission Meeting

C/U 2510 Henry Villegas-Solis

An Ordinance to grant a Conditional Use of land in a B-1 Neighborhood Business District for an auto repair shop to be located on a certain parcel of land lying and being in Sussex County, containing 0.61 acres, more or less. The property is lying on the southwest side of Layton Avenue, north of Jersey Road (S.C.R. 305), approximately 0.06 mile south of John J. Williams Highway (Route 24). 911 Address: 28375 & 28377 Layton Avenue, Millsboro. Tax Map Parcel: 234-32.00-67.00.

Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Exhibit Book, a copy of the Applicant's presentation, the Preliminary Conditional Use Site Plan, the DelDOT Service Level Evaluation Response letter, and the Staff Analysis. Mr. Whitehouse stated that three comments had been received on behalf of the application.

The Commission found that Mr. Henry Villegas-Solis spoke on behalf of his application; that also present was his son, Mr. Julien Villegas. Mr. Villegas-Solis stated that he had purchased the property five years ago; that at that time he performed many renovations, such as new siding and new shingles, and at the back of the property, there is a big shop, where he performs mechanic work.

Mr. Julien Villegas spoke on behalf of his father and the application. Mr. Villegas stated that his father enjoys performing mechanical work; that they also have other family members who enjoy performing mechanical work; that there is a large shop located in the back of the property; that his father's tools and equipment are located within that shop; that the shop has four lights within it; that at times, his father forgets to close the shop doors; that his father had received a complaint from a neighbor for that reason; that there are no motion lights placed outside, as his father did not want to disturb the neighbors; that the lights are only for the shop, and will not be present when the shop is closed, and his father submitted the application to ensure his use of the shop was legal within Sussex County.

Mr. Mears questioned all the activities and uses that would be performed on the site.

Mr. Villegas stated that his family runs a roofing business; that they have business trucks, and they purchase vehicles, perform mechanical work to use for themselves.

Madam Chair Wingate questioned if the roofing business was previously approved, as she believed the current Conditional Use application was for the purpose of a mechanical business only.

Mr. Whitehouse advised the Commission that before them was a Conditional Use requesting approval for an auto repair shop; that the property was the subject of Constable activity in 2023, at which time a Sussex County Notice of Violation was issued for an illegal business; that the Constables had provided notes regarding the roofing business, however, the current Conditional Use did not request approval for a roofing business, and there was no record of any previous approval for the roofing business for the site.

Mr. Villegas stated that his family was not operating the roofing business from the site, and the trucks they work on are used for the roofing business.

Mr. Mears questioned Mr. Robertson about whether the public hearing was permitted to continue, as the application was not advertised for the roofing business use.

Mr. Robertson stated that the Commission could not move forward with considering the roofing company's use, as the roofing company's use was not included on the application, advertised, or stated in the ordinance, and that the Commission could move forward with the hearing considering only the auto repair business use.

Mr. Allen questioned whether the auto repair business was a licensed business or not.

Mr. Villegas stated that his family currently did not have a license for the business, but they would work toward getting one, and they only perform mechanic work for themselves at the moment.

Mr. Collins stated in general, the Commission tries to promote and support the growth of small businesses where they are able; however, the Commission also wants to ensure that those small businesses do not negatively impact adjacent neighbors.

Mr. Villegas translated that his father, Mr. Villegas-Solis, had attempted to obtain a lawyer; that the application is a small case, and no lawyers were interested in taking his case.

Mr. Collins stated that if the Conditional Use was recommended for approval, the Commission would likely require many conditions, such as privacy fencing, screening, and reconfiguration of existing lighting in an attempt to avoid negative impacts to the neighbors.

Mr. Villegas translated that his father wanted to please the neighbors; that his father was not opposed to conditioned business hours; that they understand the drill guns for the tires are loud, and they are willing to have business hours completed by a certain time.

Mr. Collins stated there would likely be other conditions around the storage, disposal, and licensed removal of any fluids and toxic materials.

Mr. Villegas stated that they have time to do that, and that is something they were looking to do.

Mr. Passwater questioned whether a business was operated on the property or if the work being performed was on personal vehicles only.

Mr. Villegas stated that they do perform work on their work vehicles, which is the only thing that would push it to be business-related.

Mr. Mears questioned what the desired hours of business operations would be.

Mr. Villegas stated the proposed hours of operation would be from 9:00 am until 6:00 pm, with occasional later hours until 8:00 pm on the weekends.

Mr. Villegas stated that his father did not mind what the business hours would be, based on what business hours the neighbors would prefer; that it is a big shop; that his father has not put up outdoor lights or cameras, in an attempt not to disturb the neighbors; and his father would like to place lights outside of the shop; that they do store items of value, such as fans, trucks, motors and bobcats outside,

and would like to have cameras.

Madam Chair Wingate questioned why a bobcat is located on the site, if there is no business operations happening on the site.

Mr. Villegas stated that his father recently purchased a Bobcat, which remains on the site; that he personally owns a Can-Am vehicle, which will likely be stored within the shop to ensure it is protected as well; that the Bobcat is for personal use; that his father is from Costa Rica, and he may want to send the Bobcat to Costa Rica in the future; and his mother has a property in Seaford, which will require a lot of yard work, and the Bobcat will help assist in that.

Mr. Villegas translated for his father, who stated that the roads were beat up when he purchased the property, and he had always tried to take care of the roads as well.

Mr. Mears questioned what days of the week the Applicant intended to operate.

Mr. Villegas stated his father requested business hours from Monday through Saturday, but should neighbors have any objection to Saturday hours, he would be agreeable to Monday through Friday as well and would request permission to have lighting on the property as well.

Mr. Robertson questioned whether people bring vehicles to the property to be repaired for payment.

Mr. Villegas stated that his primo (cousin) purchased a car, which his uncle performed work on when he was available; that is not a service they advertise, and they only keep it within the family.

Mr. Collins questioned whether the Applicant purchases vehicles to fix up and resell.

Mr. Villegas stated no, that his father does not purchase vehicles to resell; that his family enjoys fixing vehicles, and they have Bobcats and tow trucks on the site.

Mr. Collins questioned whether the Applicant only fixes personal vehicles, occasionally friends' vehicles, and the vehicles belonging to the roofing business, which is not operated on the subject site at all.

Madam Chair Wingate questioned whether they provided vehicle towing services as well.

Mr. Villegas stated they do not provide vehicle towing services; that the tow truck has been on the site for a year and a half, and he was unsure why it was on the site.

Mr. Collins questioned whether the tow truck was operational or licensed.

Mr. Villegas stated that the tow truck is licensed; that it was purchased to switch the transmission, and he had planned to ship it to Costa Rica, however, it did not work out as planned.

Mr. Allen questioned what the existing larger building is being used for at the current time.

Mr. Villegas stated that the building with black shingles, located at the rear of the property, is the only building used for their mechanical work.

Mr. Robertson stated that the Commission normally would see these types of applications located within the AR-1 (Agricultural Residential) Zoning District; however, the subject site is located within the B-1 (Neighborhood Business) Zoning District; that because the zoning is B-1, some of the uses are permitted; that he would suggest that the Commission defer action for further consideration, to allow the Commission to consider the record, and to allow staff to confirm what uses are permitted, and what uses would require a Conditional Use approval, what needs to be done; that the Applicant is not beginning the process at the baseline of zero, where no business is permitted; that it is unusual as the Commission does not often see Conditional Use request within the B-1 District; that within the B-1 District, automobile parking lots are a permitted use; that even filling stations, subject to multiple conditions, is a permitted use within the B-1 District; that the B-1 zoning permits for stores, shops and retail businesses; that there are a number of uses that would be permitted on the site; that there may be a requirement, which would clean up the site by submission of a Site Plan; that the Site Plan would allow everyone to know what is happening on the site, where the use is happening, where the buildings are located, and where parking is located in relation to the required setbacks, and it appeared as the Applicant goes through the process, that the Application is a bit more complicated than it appeared initially.

Madam Chair Wingate stated she felt there was a bit more happening on the site than what was discussed within the hearing.

Mr. Whitehouse requested to provide clarification of his previous comments; that there were three comments submitted on behalf of the Application, and had been placed into the record..

Madam Chair Wingate stated that the Commission has seen and read the submitted comments, and had watched the submitted videos as well.

The Commission found that no one was present who wished to speak in support of the application, and three people were present who wished to speak in opposition to the application.

Mr. Tom Wolfe spoke in opposition to the Application. Mr. Wolfe stated that his rear yard is located adjacent to the front of Mr. Villegas-Solis' property; that he had submitted comments and videos regarding the application; that there is a lot happening on the site, and it creates a constant disruption; that the site is being used as an auto repair shop, vehicle storage, and residential duplex, with two families, totaling approximately 10 people; that the vehicles are stored right against his property; that he understood the property is located within the B-1 District, however he did not know of any other storefront that faces an adjacent residence; that most storefronts face a roadway; that work is being performed all hours of the day and on the weekends; that there are dilapidated conditions; that all of the uses mentioned within the Staff's Memorandum were really low impact businesses, such as flower shops, office spaces, and barber shops; that there were no similar businesses approved within the area; that the proposed use of automotive repair is not compatible with the property; that the site is surrounded by four residences; that there are not enough setbacks, especially if the shop is to be used as it currently is, because the shop is facing his property; that he believed the requirement is a 60 foot Front Yard Setback; that he had submitted a video where there are vehicles coming and going from the site; that there is always something going on at the site, whether it be the coming and going of vehicles or the heavy machinery; that the only access to the site is essentially squeezing by Layton Avenue; that there is a lot of noise disruption; that this is the type of business that belongs on Rt. 24, not on a side street, surrounded by residences; that the Applicant did have an assessment performed

based on vehicular flow; that once the bypass is completed, Layton Avenue will become the only secondary way in and out of Jersey Road; that at this time Layton Avenue is more of a tertiary or alternative route; that if the Conditional Use is granted, there will be a lot of traffic flow; that there is not much visibility from Jersey Road, going to Layton Avenue; that the barn is an eyesore; that he felt the building should be torn down, not granted usage for a business; that he requested the Commission deny approval of the Conditional Use; that he felt the Applicant should propose a business use to be placed in the building facing Layton Avenue, for a more quaint use, such as a flower shop or something more conducive for the B-1 Zoning District; that everything that was listed was incompatible to be located so close to residential properties; that he requested that the Commission decline any subsequent request for any type of mechanical or disruptive use to the surrounding properties, and those uses are not compatible with the surrounding residences, with insufficient setbacks; that the orientation of the buildings are incompatible; that the property stores Bobcats, cement trucks, cement mixers, with lights shining onto this property; that the current use is more of an industrial park; that he felt the base case scenario would be for the Applicant to tear down the front of the building to face Layton Avenue, and be restricted to one business; that he is not aware of any Jiffy Lubes, where people are meandering around after hours, tinkering with this and that; that he felt the proposed business hours were still too broad, and when he sits on his deck, he is eye level with everyone out there, who are standing on equipment and banging on things.

Mr. Robertson stated that the Staff Memorandum lists other Conditional Use applications located within a one-mile radius of the site; that when reviewing those, they are all located within the AR-1 (Agricultural Residential) Zoning District, except for one application, which was located within B-2 (Business Community) Zoning District; that there was a Conditional Use for a flower shop or a beauty shop, which was less intensive, however those uses were also being requested within the AR-1 (Agricultural Residential) Zoning District; that the subject site is located within the B-1 (Neighborhood Business) Zoning District; that Mr. Wolfe's property is located adjacent to a property zoned B-1; that the B-1 Zoning District, by right permits uses such as ice distribution stations, automobile parking lots and/or garages, a bank, a bakery, with other more intensive uses such as a dry cleaning and laundry business; that a filling station is permitted to be placed on the property; that there are site plan requirements, but essentially, a Royal Farms could be placed on the property by right, subject to meeting those requirements; that a large part of the application is Site Plan related, as much as it is use related, and the Commission will need to consider multiple different things.

Ms. Joan Balback spoke in opposition to the application. Ms. Balback stated she resides adjacent to the site; that when she purchased her property 40 years ago, there was a small photography shop located on the site; that she was unaware of the B-1 (Neighborhood Business) Zoning designation; that she did submit a letter with pictures; that the submitted pictures reflect all the equipment that is parked along Layton Avenue; that Layton Avenue will be an access road once the Millsboro bypass is completed; that when she mows her lawn, she had seen mounds of trash placed along the tree line; that she questioned where parking would be placed, as she could not understand where all the vehicles would park; that several years ago, all the residence along Jersey Road had a large water issue with Mountaire, because there had been water pollution coming from the water irrigation systems around the neighborhood; that she feared, with a mechanical business, a lot of oil and fluids may pollute the wells; that she questioned who would monitor the safety of the wells; that Layton Avenue used to be a very quiet little side street; that currently cars are constantly coming and going; that she had counted up to 10 to 15 trucks, vehicles and vans, and she feared that the approved business would bring more traffic to the site.

Mr. Mark Brittingham spoke in opposition to the application. Mr. Brittingham stated that his detached garage is located adjacent to Mr. Villegas-Solis' property; that he can hear various noises from the site anytime throughout the day and night; that he had owned his property for four years; that he mostly hears the noise in the early evening; that the noise does bother his wife's sleep at times, and he did not understand how the proposed business fit into the neighborhood.

Ms. Cecchine questioned how many employees currently work on the site.

Mr. Villegas-Solis stated that the only employees operating on the site were two, consisting of his brother and himself.

Upon there being no further questions, Chair Wingate closed the public hearing.

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

In relation to C/U 2510 Henry Villegas-Solis. Motion by Mr. Mears to leave the record open for the following reasons:

1. To review with staff the permitted uses that are allowed in the B-1 zoning,
2. The existence of building permits and Certificate of Occupancy for all the buildings on the property,
3. The history of the zoning and the legal non-conforming uses associated with this property and any site plans associated with these uses,
4. Any information that staff has regarding the duplex on the site,
5. To receive information from DelDOT confirming any change in use or access to or from Layton Avenue or Jersey Road as a result of the Millsboro bypass.

The motion was seconded by Mr. Collins and carried unanimously. Motion carried 5-0.

Minutes of the October 1, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, whose record was left open since September 3, 2025, for the following reasons:

1. To review with staff the permitted uses that are allowed in the B-1 zoning,
2. The existence of building permits and Certificate of Occupancy for all the buildings on the property,
3. The history of the zoning and the legal non-conforming uses associated with this property and any site plans associated with these uses,
4. Any information that staff has regarding the duplex on the site,
5. To receive information from DelDOT confirming any change in use or access to or from Layton Avenue or Jersey Road as a result of the Millsboro bypass.

Mr. Whitehouse provided the Commission with an exhibit reflecting the design of the bypass, along with the terminus of Jersey Road, and how it is being modified in relation to the Application site, and provided an exhibit to the Commission regarding the building permit history of the site.

In relation to C/U 2510 Henry Villegas-Solis. Motion by Mr. Collins to close the public record and to defer action for further consideration, seconded by Mr. Allen and carried unanimously. Motion carried 4-0.

Minutes of the October 17, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since September 3, 2025.

Mr. Robertson read Mr. Mears' motion into the record per Mr. Mears' request.

Mr. Mears moved that the Commission recommend approval of C/U 2510 Henry Villegas-Solis for an auto repair shop based upon the record made at the public hearing and for the following reasons:

1. This property is already zoned B-1 Neighborhood Business. It has been zoned this way for years. Under the existing B-1 Zoning, a variety of small business uses are permitted, including filling stations. This is a small expansion of what is already permitted on this site.
2. The proposed automobile repair shop is small. With the conditions and stipulations placed upon it, it will not have an adverse impact on the neighboring properties or community. It is also small enough that it will not negatively impact traffic or nearby roadways.
3. The site is located in the Developing Area according to the Sussex County Comprehensive Plan. This type of use is appropriate in this Area according to the Comprehensive Plan.
4. The Applicant lives on the site, and one of the conditions of approval will require that all repairs must occur indoors.
5. The use as an automotive repair shop is of a public or semi-public character and is desirable for the general convenience and welfare of the area.
6. This recommendation for approval is subject to the following conditions and stipulations:
 - A. All repairs shall be performed indoors. All doors to the repair areas shall be closed while automotive work is occurring.
 - B. No automobile parts shall be stored outside, and aside from vehicles with a current registration in the Applicant's name, no more than 5 cars shall be parked on the site.
 - C. The use shall comply with the signage requirements of the B-1 District.
 - D. Any security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.
 - E. No junked, unregistered, or permanently inoperable vehicles or trailers shall be parked or stored on the site.
 - F. There shall not be any parking in the front yard setback.
 - G. The parking areas shall be shown on the Final Site Plan and clearly marked on the site itself. Vehicles shall only be parked within these designated areas.
 - H. No cars shall be sold on the property.
 - I. All oils and other fluids shall be properly stored indoors in appropriate containers. The applicant shall also comply with all state and federal requirements for the disposal of these fluids.
 - J. The site shall be subject to all DelDOT entrance and roadway requirements.
 - K. The hours of operation shall be 8:00 am through 5:00 pm, Monday through Friday. There shall not be any Saturday or Sunday hours.
 - L. The applicant shall install fencing with a vegetative screen along all 3 sides of the property

- with the exception of the frontage. The nature, type and location of the fence and all of the plantings shall be shown on the Final Site Plan, and the Planning & Zoning staff shall ensure that this fencing and vegetation is a sufficient screen.
- M. Any dumpsters or trash containers shall be enclosed and screened from view of surrounding roadways and properties. The location of these dumpsters and trash receptacles shall be shown on the Final Site Plan.
 - N. Any violation of these conditions may be grounds for termination of this conditional use.
 - O. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Motion by Mr. Mears, seconded by Mr. Collins, and carried unanimously to recommend approval for C/U 2510 Henry Villegas-Solis for the reasons and the conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Mr. Passwaters – yea, Mr. Allen – yea, Mr. Mears – yea, Mr. Collins – yea, Madam Chair Wingate – yea

Mr. Passwaters voted yea, for the reasons and the conditions stated in the motion.

Mr. Allen voted yea, for the reasons and the conditions stated in the motion.

Mr. Mears voted yea, for the reasons and the conditions stated in the motion.

Mr. Collins voted yea, for the reasons and the conditions stated in the motion.

Madam Chair Wingate voted yea, for the reasons and the conditions stated in the motion.

PLANNING & ZONING COMMISSION

HOLLY J. WINGATE, CHAIR
J. BRUCE MEARS, VICE-CHAIRMAN
JEFF ALLEN
SCOTT COLLINS
J. PASSWATERS



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T

JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: September 3, 2025

Application: CU 2510 Henry Villegas-Solis

Applicant: Henry Villegas-Solis
28375 Layton Avenue
Millsboro, DE 19966

Owner: Henry Villegas-Solis
28375 Layton Avenue
Millsboro, DE 19966

Site Location: Located on the southwest side of Layton Avenue, north of Jersey Road (S.C.R. 305), approximately 0.06-mile south of John J. Williams Highway (Route 24)

Current Zoning: B-1 Neighborhood Business District

Proposed Use: Auto Repair Shop

Comprehensive Land
Use Plan Reference: Developing Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Millsboro Fire Co.

Sewer: On-site Septic

Water: On-site Well

Site Area: 0.61 ac. +/-

Tax Map ID.: 234-32.00-67.00



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: Mrs. Susan Isaacs, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: July 22, 2025
RE: Staff Analysis for CU 2510 Henry Villegas-Solis

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2510 Henry Villegas-Solis to be reviewed at the September 3, 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: 234-32.00-67.00

Proposal: The request is for a Conditional Use for Tax Parcel #234-32.00-67.00, to allow for a “Auto Repair Shop” to be located on a Parcel located on the southwest side of Layton Avenue, north of Jersey Road (S.C.R. 305), approximately (0.06) miles south of John J. Williams Highway, (Route 24). The Parcel is comprised of a total of 0.61 acres +/-.

Zoning: The subject property is zoned B-1 Neighborhood Business District. All adjacent parcels in the immediate vicinity to the Parcel are zoned Agricultural Residential (AR-1) District with (2) two parcels to the east and (1) one parcel to the west being zoned B-1 Neighborhood Business District.

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:

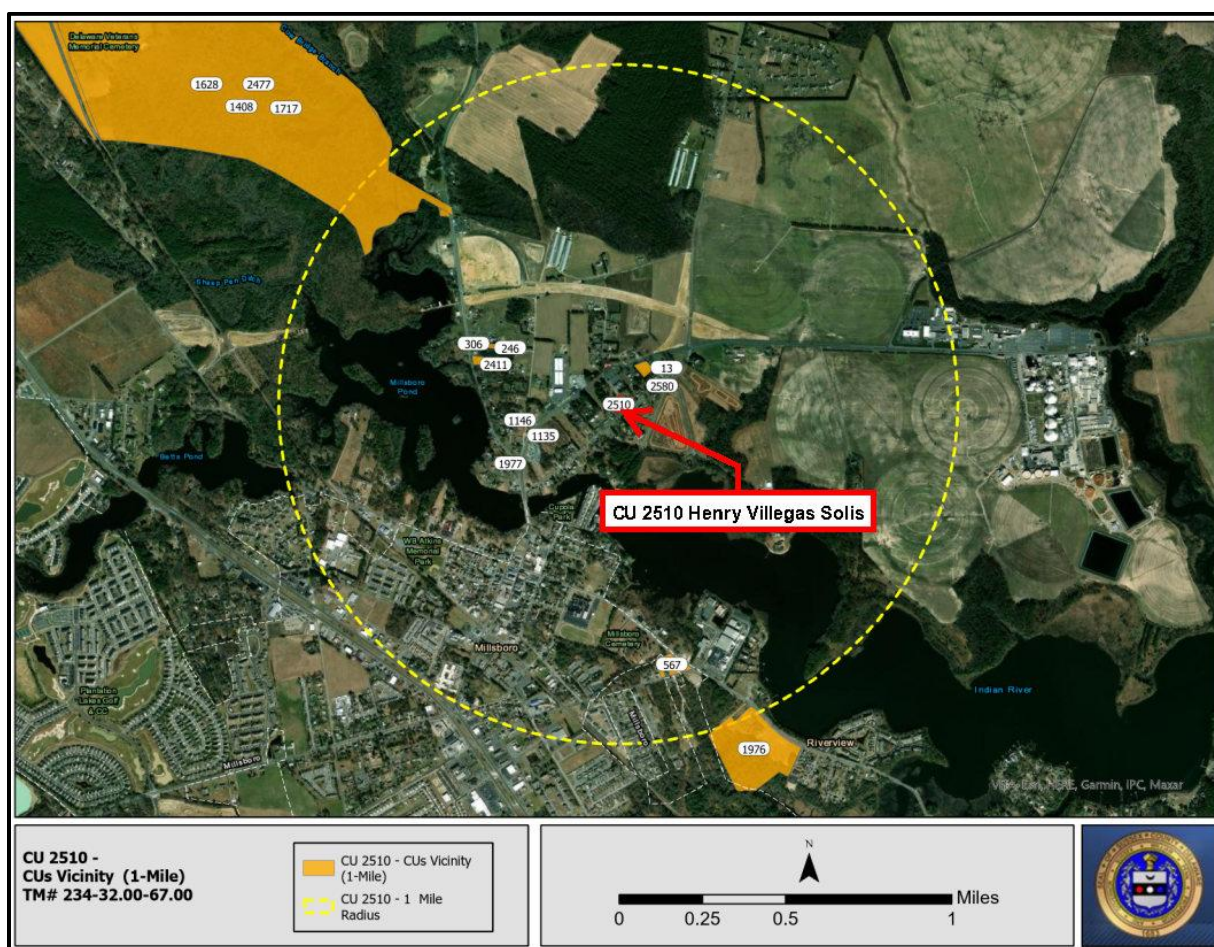
- **Density: N/A**
- **Open Space Provisions: N/A**
- **Agricultural Areas: N/A**
- **Interconnectivity: N/A**
- **Transportation Improvement District (TID):** The parcel is not within the Henlopen Transportation Improvement District.
- **Forested Areas: N/A**
- **Wetlands Buffers/Waterways: N/A**
- **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 “Fair”, in terms of Groundwater Recharge Potential on the site per data from the State of Delaware.

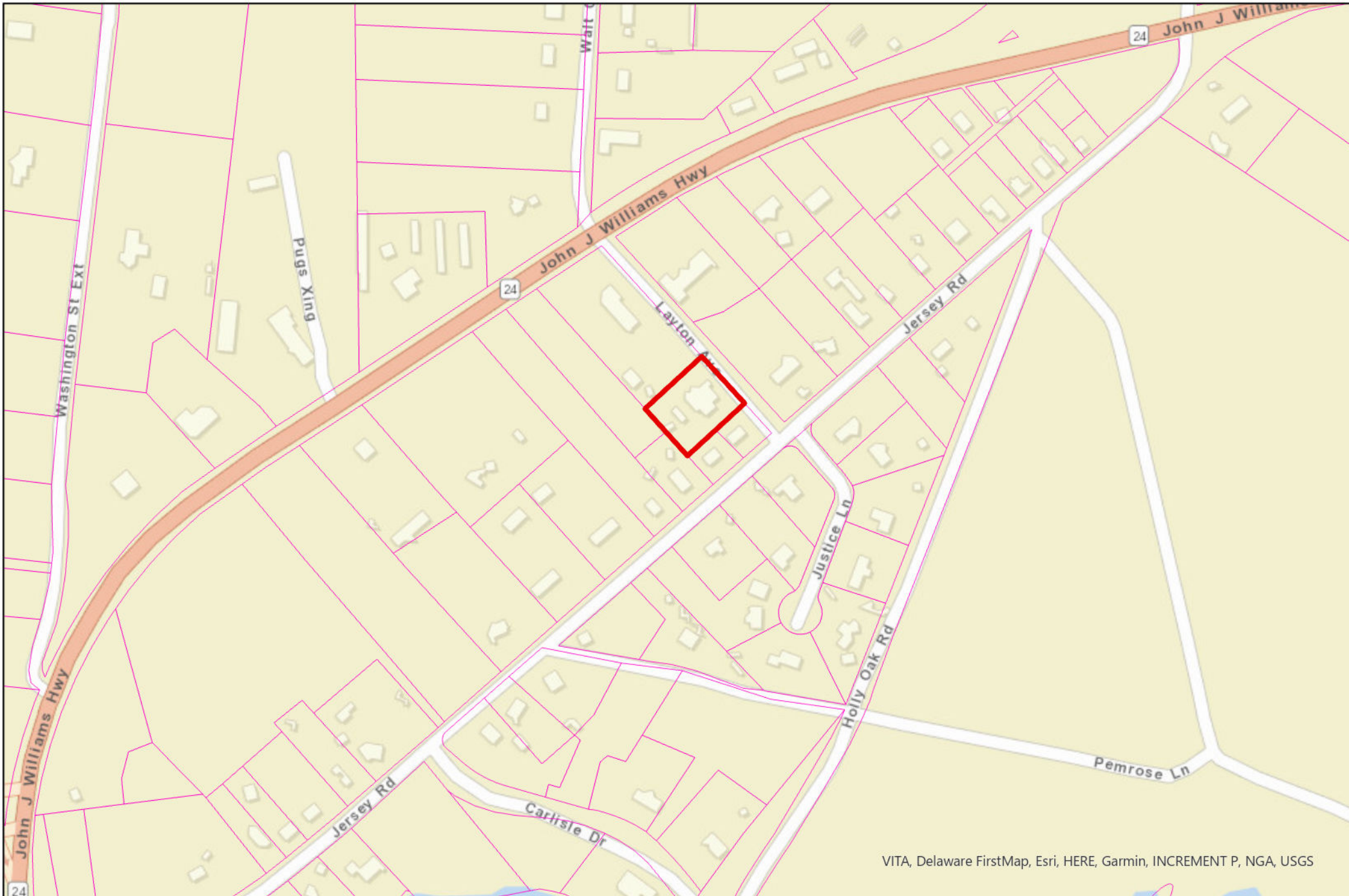
Based on the analysis provided, the Conditional Use to allow for a “Auto Repair Shop”, could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

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
13	Dallas Wilkerson	AR-1	Beauty Salon	Approved	7/13/1971	N/A
246	Agnes M Goff	AR-1	Flower Shop	Approved	12/3/1974	N/A
306	Agnes M Goff	AR-1	Addition To Manufactured Home for Home Florist Shop	Approved	12/9/1975	N/A
567	Millsboro Cemetery, Inc.	AR-1	Addition To Existing Cemetery	Approved	4/29/1980	N/A
1135	Sandra Gordon	AR-1	Mini Storage	Withdrawn	N/A	N/A
1146	Sandra Gordon	AR-1	Mini-Storage	Withdrawn	N/A	N/A
1408	Indian River School District (Stockley Site)	AR-1	Public School	Approved	7/24/2001	1481
1626	Julie Bernick & Deborah Safee	AR-1	Dog Grooming	Approved	11/15/2005	1807
1628	State of Delaware	AR-1	Government Building	Approved	6/14/2005	1782
1717	State of Delaware Division of Facilities	AR-1	State Health Care Facility	Approved	12/5/2006	1880
1976	Indian River School District	AR-1	Elementary School Expansion	Approved	1/7/2014	2332
1977	Matthew T. Favinger	AR-1	Doctors Office	Approved	1/7/2014	2333

2303	Antonia Lopez	AR-1	Food Vendor	Denied	8/23/2022	N/A
2411	Joshua Zuppo	AR-1	Tree Business	Approved	5/14/2024	3015
2477	State of Delaware	AR-1	Police Station	Approved	1/23/2024	2975
2580	Toney Floyd Trucking, LLC	B-2	Commercial Hauling, Goods, & Material Delivery Service, Driveway Installation Co., Storage of Vehicles, Equipment & Materials	Approved	5/20/2025	3097



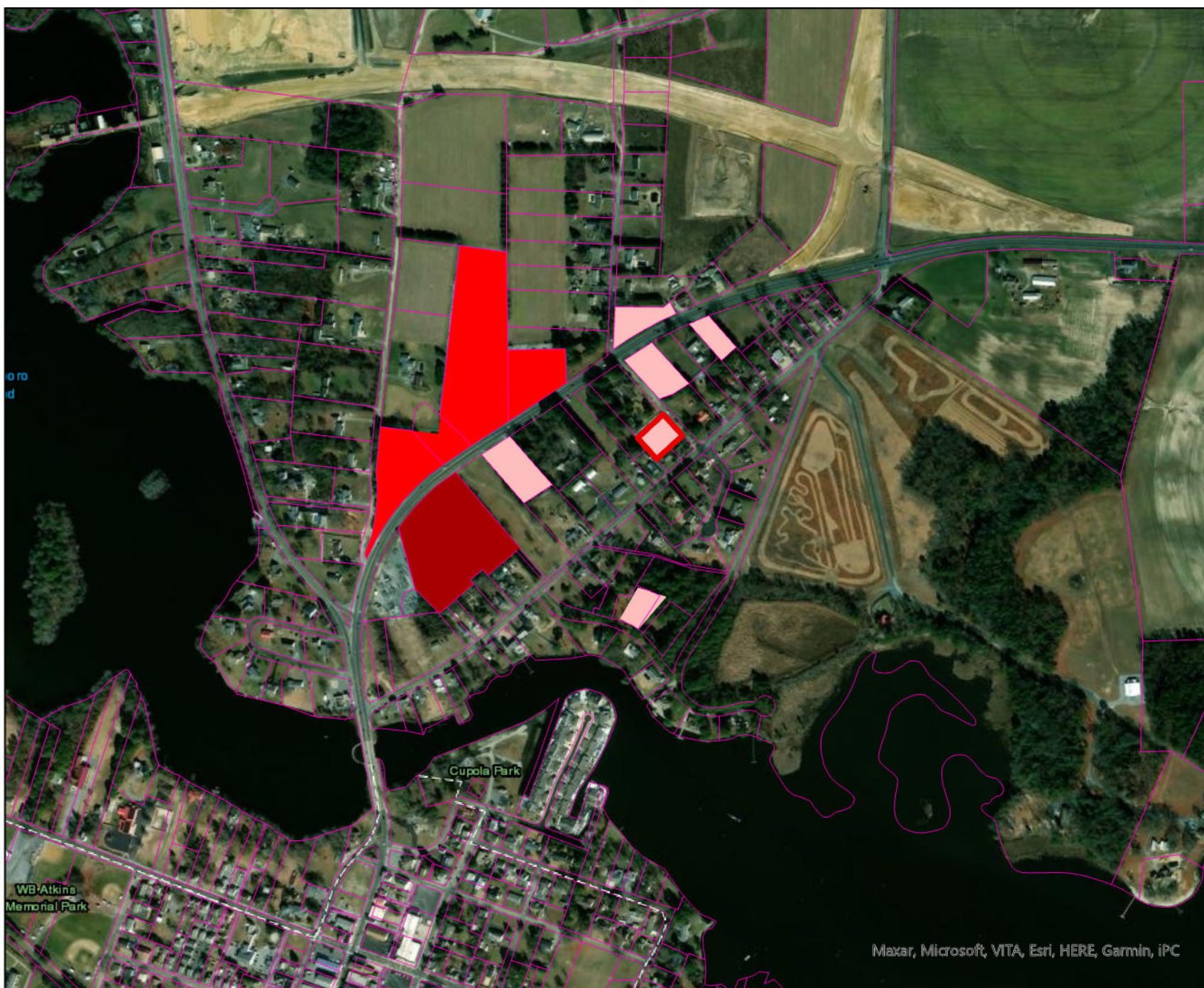


VITA, Delaware FirstMap, Esri, HERE, Garmin, INCREMENT P, NGA, USGS

**CU 2510 Villegas-Solis
Street Map
TM# 234-32.00-67.00**

 CU 2510 Villegas-Solis
 Tax Parcels





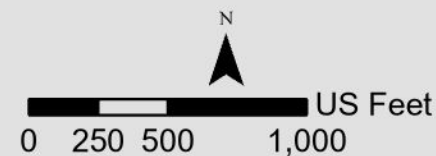
Zoning

- Agricultural Residential - AR-1
- Agricultural Residential - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential - HR-1
- High Density Residential - HR-2
- Neighborhood Business - B-1
- Business Research - B-3
- General Commercial - C-1
- Commercial Residential - CR-1
- Institutional - I-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1
- Medium Commercial District-C-2
- Heavy Commercial District-C-3
- Planned Commercial District-C-4
- Service/Limited Manufacturing District-C-5
- Business Community District-B-2
- Vacation-Retirement-Residential Park District - VRP

Maxar, Microsoft, VITA, Esri, HERE, Garmin, iPC

**CU 2510 Villegas-Solis
Zoning Map
TM# 234-32.00-67.00**

CU 2510 Villegas-Solis

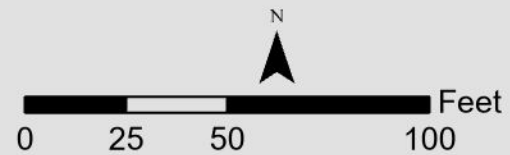




State of Delaware, Maxar, Microsoft, VITA, Esri, HERE, Garmin, IPC

CU 2510 Villegas-Solis
Aerial Map
TM# 234-32.00-67.00

-  CU 2510 Villegas-Solis
-  Tax Parcels



Introduced: 6/4/24

Council District 5: Mr. Rieley

Tax I.D. No.: 234-32.00-67.00

911 Address: 28375 & 28377 Layton Avenue, Millsboro

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.61 ACRES, MORE OR LESS

WHEREAS, on the 23rd day of January 2024, a Conditional Use Application, denominated Conditional Use No. 2510 was filed on behalf of Henry Villegas-Solis and

WHEREAS, on the ____ day of _____ 2024, 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. 2510 be _____; and

WHEREAS, on the ____ day of _____ 2024, 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 X, Subsections 115-71, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2510 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 Indian River Hundred, Sussex County, Delaware, and lying on the southwest side of Layton Avenue, north of Jersey Road (S.C.R. 305), approximately 0.06 mile south of John J. Williams Highway (Route 24) and being more particularly described in the attached legal description prepared by Moore & Rutt, PA, said parcel containing 0.61 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.

Wendy Lobato

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Friday, October 17, 2025 11:20 AM
To: Wendy Lobato
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** The Town of Laurel

Project Name The Laurel Welcome Project

Federal Tax ID 51-6000168

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 mission of the Town of Laurel is to provide efficient, effective, and transparent governance that enhances the quality of life for all residents, businesses, and visitors. We are committed to preserving our historic character while promoting responsible growth, community engagement, and a safe, welcoming environment.

Address 201 Mechanic Street

City Laurel

State DE

Zip Code	19956
Contact Person	Jamie Smith
Contact Title	Town Manager
Contact Phone Number	3028752277
Contact Email Address	laureltm@comcast.net
Total Funding Request	2000
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?	2000
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 Educational Health and Human Services Infrastructure

Primary Beneficiary Category	Other
Beneficiary Category Other	All persons
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	4000
Scope	Guided by the Town's mission, we aim to invite and collaborate with individuals who bring fresh perspectives and improvement ideas that will benefit our community, support our staff, and enrich the lives of our residents. If the grant is awarded we will utilize the funds to implement the improvement and ideas shared with Laurel for the betterment of our community and citizens.
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	Personnel
Amount	500.00
Description	Supplies and event costs
Amount	1,500.00

TOTAL EXPENDITURES	2,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-2,000.00
Name of Organization	The Town of Laurel
Applicant/Authorized Official	Jamie Smith
Date	10/17/2025
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.

Wendy Lobato

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Wednesday, October 22, 2025 9:40 AM
To: Wendy Lobato
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	First State Community Action Agency, Inc.
Project Name	60th Anniversary Celebration
Federal Tax ID	51-0104704
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	Yes
Organization's Mission	To work towards the elimination of poverty and lessen the effects of poverty on people with low incomes
Address	308 North Railroad Avenue
City	Georgetown
State	DE
Zip Code	19947
Contact Person	Bernice Edwards

Contact Title	Executive Director
Contact Phone Number	3022366472
Contact Email Address	bedwards@firststatecaa.org
Total Funding Request	3000
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?	1200
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	Low to Moderate Income

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

7900

Scope

First State Community Action Agency is proud to celebrate 60 years of service as Sussex County's leading anti-poverty organization. In recognition of this milestone, we invite community partners to join us as sponsors of our 60th Anniversary Celebration — "Diamond State, Diamond Anniversary" — to be held on November 17, 2025, at Delaware State University. Proceeds from this event will directly support the agency's general operating expenses, ensuring the continued delivery of vital programs and services that strengthen families and communities throughout Sussex County.

For six decades, First State has been a cornerstone of hope and opportunity for individuals and families facing poverty. Each year, we serve more than 7,900 Sussex County residents through a continuum of programs designed to meet immediate needs while fostering long-term stability. Our work spans the essential domains of education, employment, nutrition, housing, financial empowerment, and community engagement. From preventing foreclosures and evictions to helping young people gain workforce skills, providing meals and food assistance to families in crisis, and supporting seniors living on fixed incomes, First State's reach is both deep and wide.

The need for our services remains urgent. Despite Sussex County's economic growth, many residents continue to face systemic barriers to opportunity. Rural poverty, limited access to affordable housing, and high transportation costs leave many households struggling to make ends meet. Inflation and rising utility costs have only intensified these challenges, leaving families one unexpected expense away from financial crisis. As the only federally designated Community Action Agency serving Sussex County, First

State plays a critical role in bridging service gaps and connecting residents with resources that promote self-sufficiency and dignity.

General operating support is vital to sustaining this work. Flexible funding allows First State to maintain core infrastructure, retain skilled staff, and ensure the smooth coordination of more than a dozen interrelated programs. It enables us to adapt quickly to emerging needs—whether responding to extreme weather events, economic disruptions, or unexpected community crises—and to continue serving as a trusted, accessible resource for Delawareans in need.

We also work diligently to secure in-kind donations, volunteer partnerships, and community sponsorships to cover the costs associated with the 60th Anniversary Celebration. This careful stewardship ensures that financial sponsorships go directly toward program support and general operations, not event overhead. Every contribution made through this celebration translates into tangible impact: keeping families safely housed, helping parents access stable employment, ensuring children are well-nourished, and empowering communities to thrive.

Sponsorship of this milestone event is more than an investment in a celebration—it is an investment in the future of Sussex County. Together, we can continue First State’s legacy of “empowering people and changing lives,” ensuring that for the next 60 years and beyond, Sussex County remains a place where every resident has the opportunity to build a better life.

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

71,825.00

Description	Event Expenses - venue, materials, contractual expenses
Amount	100,000.00
TOTAL EXPENDITURES	100,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-28,175.00
Name of Organization	First State Community Action Agency, Inc.
Applicant/Authorized Official	Bernice M. Edwards
Date	10/22/2025
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.

Wendy Lobato

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Wednesday, October 29, 2025 3:16 PM
To: Wendy Lobato
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 SNAC Garden Foundation

Project Name SNAC Garden School Partners: Enriching Schools and Students in Sussex County

Federal Tax ID 77-0606842

Non-Profit Yes

Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.) No

Organization's Mission SNAC Garden Foundation cultivates health, learning, and nourishment by creating equitable access to nature and food. Through hands-on gardening, science-based education, and sustainable practices, we inspire wellness, nurture curiosity, and strengthen community.

Address PO Box 842

City Rehoboth Beach

State DE

Zip Code	19971
Contact Person	Alexandra Furtado
Contact Title	Executive Director
Contact Phone Number	3025196752
Contact Email Address	shandra@snacgardens.org
Total Funding Request	1500
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?	1
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	2600
Scope	Evidence has long shown the physical, developmental and educational benefits of outdoor learning environments for children. In fact, learning in a natural setting has direct positive impacts on learners' attention, stress levels, self-discipline, interest and enjoyment in learning. (Kuo, Barnes, Jordan. "Do Experiences With Nature Promote Learning? Converging Evidence of a Cause-and-Effect Relationship." Front Psychol. 2019) However, for most schools, the majority of learning still takes place indoors. Further, we know that education around healthy foods, nutrition, and food systems are critical in combatting the concerning health statistics for youth today. In the most recent community health needs assessment for Sussex County, Bayhealth Hospital identified obesity and mental health as priority targets for health improvements. According to the Delaware Health Tracker (2017), only 15.8% of public high school students eat vegetables 2-3 times a day, and 18.4% of youth 6-11 years old are obese. Coupled with food insecurity in the low-income areas of the state, a deeper socioeconomic layer affects both health and education. To benefit Sussex County students with vibrant outdoor classrooms, nutrition-focused education, and innovative STEM learning, the SNAC Garden Foundation partners with schools to transform schoolyards into thriving ecosystems where students of all backgrounds and ethnicities have equitable access to structured hands-on STEM learning and health education. Funds from this request will support SNAC's School Partner Program, which has been working with schools since 2011 to create and sustain garden spaces, providing garden

infrastructure, seeds, tools, maintenance support, and bilingual educational materials when needed. Our continuous, hands-on program support ensures long-lasting garden programs at the schools we serve; once gardens are complete, the learning continues. Teachers and administrators are already overwhelmed, so we aim to take the pressure off, helping them to maintain and integrate garden learning. Every school is assigned a SNAC Garden Educator, who teaches our STEM-Based curriculum during programming seasons that last 8 weeks each semester. We work with school administrators to create a school-wide schedule that ensures every class spends time in the garden at least once per week, and every child will spend 10-18 hours a year learning in the garden to supplement their regular curriculum, over the course of 12-20 lesson plans.

The curriculum for each grade is distinct, interdisciplinary, and based on core-curriculum standards so that lessons are supportive of classroom learning. Lesson plans incorporate science, math, social studies, art, and language under the lens of environmental and gardening topics. In addition to the core-curriculum standards, students are inspired to ask questions and seek answers through their own research and observations of a diverse garden ecosystem. This allows students to find their own niche in education as a leader, explorer, supporter, and/or creative.

The SNAC curriculum structure includes:

- A 30-minute academic garden lesson guided by state standards, culminating in a taste test of a vegetable harvested directly from the garden. These lessons further solidify topics learned in class.
 - Time in every lesson for independent or group academic exploration in the garden, aimed to build crucial socio-emotional skills.
 - Students harvest as a group and create large salads for a “harvest party” 2-4 times a year, using fun learning activities to create a positive association towards eating vegetables
- Our primary target group is the Indian River School District (IRSD), especially the schools that serve the towns of Georgetown and Millsboro. At the moment, the project serves 2,600 students directly across 4 schools: North

Georgetown Elementary in Georgetown, Longneck Elementary in Longneck, Howard T Ennis (Georgetown), and Georgetown Middle School. Our community comprises students from diverse backgrounds, including low-income families, immigrant families, and individuals facing socio-economic challenges. The schools we serve have a combined total percentage of students on free or reduced lunch of 45.7%.

Outcomes for our School Partners Program include:

- Students are more likely to increase the variety of fruits and vegetables in their diets, contributing to positive health outcomes. In a 2020 study of SNAC students, we noted an 11% increase in positive perception and favorability on average for common vegetables grown in the SNAC Garden and jumps of 15%-30% in positive perception of the vegetables that were used specifically in a STEM-based SNAC curriculum lesson.
- Students receive enhanced science learning opportunities, and lifelong interest in the environment and eco-systems is sparked. The gardens become an integral part of their entire educational journey at each school, throughout each grade, providing consistency and new concepts year after year.
- Students' socio-emotional skills are bolstered; by working independently and with other students towards an end goal of growing food they can eat, students build self-confidence, teamwork, and cooperation skills.
- Gardening has been shown to be helpful for stress management, which is crucial for children on the cusp of adolescence.

By offering comprehensive garden support and curriculum, SNAC creates and cares for spaces that promote environmental stewardship, hands-on learning, and personal and collective well-being. Through this model, we provide a multi-faceted, impact-proven program that benefits the whole student, mind, body, and spirit.

Please enter the current support your organization receives for this project (not entire organization)

101,600.00

revenue if not
applicable to request)

Description General Operations

Amount 13,735.00

Description Staffing

Amount 143,970.44

Description Garden Site Supplies

Amount 41,275.00

TOTAL EXPENDITURES 198,980.44

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -97,380.44

Name of Organization SNAC Garden Foundation

**Applicant/Authorized
Official** Alexandra Furtado

Date 10/29/2025

**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.

Wendy Lobato

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Tuesday, November 4, 2025 2:53 PM
To: Wendy Lobato
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	Delmarva Council Scouting America
Project Name	Increasing Access to Scouting Opportunities for All Youth
Federal Tax ID	51-0065733
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 mission of Scouting America is to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Law.
Address	1910 Baden Powell Way
City	Dover
State	Delaware
Zip Code	19958

Contact Person	Andrea M. Brock
Contact Title	Development Director North
Contact Phone Number	3025316175
Contact Email Address	abrock@dmvc.org
Total Funding Request	5,000
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?	25
Program Category (choose all that apply)	Cultural Educational Other
Program Category Other	youth development

Primary Beneficiary Category	Youth
Approximately the total number of Sussex County Beneficiaries served, or expected to be served, annually by this program	400
Scope	Each year the Del-Mar-Va Council honors a Sussex County Distinguished Citizen with the Distinguished Citizen Award. Proceeds raised from this event go to Scouts in Sussex County to assist with camp scholarships and financial assistance for membership and programming fees. It's the goal of the Del-Mar-Va Council to provide the Scouting program to anyone regardless of financial challenge. The Del-Mar-Va Council recognizes those challenges and has made the decision to not only offer financial assistance to our outreach units, but to open those opportunities to all of the families in traditional Scouting Units we serve. With increased funding, we have the potential to provide additional individual assistance to many more youth in both Outreach sites and Traditional Scouting Units. Assistance can be given for summer camp opportunities ("Camperships"), registration fees, and supplies such as uniform, guidebooks, etc. Providing registration assistance to our members is the first step in helping young people to become well-rounded individuals. Participants will be connected to a positive adult role model that provides mentoring support and models positive social and emotional development. Scouts learn healthy habits by participating in outdoor adventures, new skills through the BSA's advancement program, and acquire leadership tools that will be applicable throughout their lives. The experience of camping is an invaluable portion of the Scouting Programming. Camp provides Scouts with

opportunities to work on merit badges and rank advancement. Camp builds self-confidence and self-esteem by providing great opportunities for Scouts to succeed, grow, and advance. A week of camp offers physical challenges, teamwork and social development, and the experience of safe fun all while making lifelong friends.

Currently, the Council provides financial assistance to nearly 600 youth across the peninsula, with approximately 30 of the 400 Scouts in Sussex County receiving such assistance. Uniforms and guidebooks average \$85, annual registration and other fees total approximately \$165 (there are differences among Cubs Scouts, Boy Scouts, and other Scout programs) and overnight summer camp registration averages \$580/week. For many families, participation in Scouting is possible only with the financial assistance we provide. Ensuring that all interested youth can participate enhances the scouting experience for all Sussex County Scouts.

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

6,800.00

Description Event Specific Expenses

Amount 2,000.00

Description Personnel

Amount 6,000.00

Description Financial Assistance

Amount 4,500.00

Description Camperships

Amount	5,000.00
Description	Membership Fees and Registrations
Amount	2,500.00
TOTAL EXPENDITURES	20,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-13,200.00
Name of Organization	Delmarva Council Scouting America
Applicant/Authorized Official	Andrea M. Brock
Date	11/04/2025
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.

To Be Introduced: 11/18/25

Council District 3: Ms. Gruenebaum

Tax I.D. No.: 335-8.00-43.01

911 Address: N/A

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN MR-RPC MEDIUM DENSITY RESIDENTIAL - RESIDENTIAL PLANNED COMMUNITY DISTRICT TO AN MR-RPC MEDIUM DENSITY RESIDENTIAL - RESIDENTIAL PLANNED COMMUNITY DISTRICT AND TO AMEND CONDITIONS OF APPROVAL FOR C/Z 1528 (ORDINANCE NO. 1679) AND FOR C/Z 1753 (ORDINANCE NO. 2361) FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 37.97 ACRES, MORE OR LESS

WHEREAS, on the 16th Day of July, a zoning application, denominated Change of Zone No. 2033 was filed on behalf of Springpoint at Lewes, Inc. c/o Garrett T. Midgett; 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 Change of Zone No. 2033 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 has determined, based on the findings of facts, that said change of zone 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,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [Medium Density Residential – Residential Planned Community District] and adding in lieu thereof the designation Medium Density Residential – Residential Planned Community District 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 on the northerly and northwesterly right-of-way line of Gills Neck Road (S.C.R. 267) and approximately 0.20-mile east of Kings Highway (Route 9) and being more particularly described in the attached legal description provided by Bohler Engineering, said parcel containing 37.97 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.

To Be Reintroduced: 11/18/25

Council District 1: Mr. Lloyd

Tax I.D. No.: 332-2.00-79.01

911 Address: 32120 Old Stage Rd., Laurel

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR THE EXTENSION OF EMPLOYEE PARKING, SELF-STORAGE, AND CONTAINER STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY CONTAINING 5.23 ACRES, MORE OR LESS

WHEREAS, on the 1st day of August 2024, a Conditional Use application, denominated Conditional Use No. 2544 was filed on behalf of Waste Management of Delaware, Inc.; and

WHEREAS, on the ____ day of _____ 2026, 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. 2544 be _____; and

WHEREAS, on the ____ day of _____ 2026, 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. 2544 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 on the west side of Old Stage Road (S.C.R. 461) at the intersection of Old Stage Road (S.C.R. 461) and Trussum Pond Road (S.C.R. 462) and being more particularly described in the attached legal description prepared by Wendie C. Stabler, Esquire with Saul Ewing Arnstein & Lehr, LLP for said parcel containing 5.23 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.

To Be Reintroduced: 11/18/25

Council District 5: Mr. Rieley

Tax I.D. No.: 135-9.00-280.00

911 Address: 18651 Downs Road, Georgetown

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTO TIRE CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.0 ACRE, MORE OR LESS

WHEREAS, on the 24th day of August 2023, a conditional use application, denominated Conditional Use No. 2480, was filed on behalf of DJ Tire Center, LLC.; and

WHEREAS, on the ____ day of _____ 2026, 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. 2480 be _____; and

WHEREAS, on the ____ day of _____ 2026, 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. 2480 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

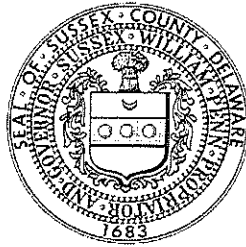
ALL that certain tract, piece, or parcel of land, lying and being situate in Sussex County, Delaware, and lying on the east side of Downs Road (S.C.R. 243), approximately 0.45 mile northeast of Wilson Road (S.C.R. 244) and being more particularly described in the attached legal description prepared by Aleman Echevarria Attorneys at Law, said parcel containing 1.0 acre, 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.

ENGINEERING DEPARTMENT

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING & DESIGN REVIEW

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



Sussex County

DELAWARE
sussexcountyde.gov

MIKE HARMER, P.E.
SUSSEX COUNTY ENGINEER

Proposed Irwin Properties Expansion of the Sussex County Unified Sanitary Sewer District

PUBLIC HEARING FACT SHEET

- County Council approved permission to prepare and posts notices for the proposed Expansion of the Sussex County Unified Sanitary Sewer District (Ocean View Area) on October 7, 2025.
- The Engineering Department has received a request from Joseph & Kristof Irwin owners of parcels 134-16.00-26.00 & 26.01 adjacent to the existing Ocean View Area of the SCUSSD.
- Parcels are on the northbound side of Windmill Road at the intersection with Central Ave. and in State Planning Level 1.
- The parcels are capable of receiving central sewer service from an existing line at the back of the properties.
- The parcels will be responsible for System Connection Charges in place at the time of connection.
- The Engineering Department posted notices October 21st, advertised weeks of November 5th & 12th, and posted to the county website.
- To date with have had no correspondence in support or opposition to this expansion.



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

PUBLIC NOTICE

PROPOSED IRWIN PROPERTIES EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (OCEAN VIEW AREA)

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **October 7, 2025**, to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Ocean View Area, to include two parcels on the northeast side of Windmill Drive, being situate in Baltimore Hundred, Sussex County, Delaware.

This action is in conformity with 9 Del. C §6502.

A description of the area, which is contiguous to and to be added to the SCUSSD is described as follows:

Beginning at a point, said point being on the northwesterly Right-of-Way (ROW) of Central Avenue, said point also being on the SCUSSD boundary, said point further being a shared property corner of lands Now or Formerly (N/F) of Joseph R & Kristof Andreas Irwin and Karl R. & Gail Hettel; thence proceeding by and with said SCUSSD boundary and Irwin lands in a southwesterly, northwesterly, northeasterly, southeasterly direction respectively a total distance of 771'± to a point, said point being the **Point of Beginning**.

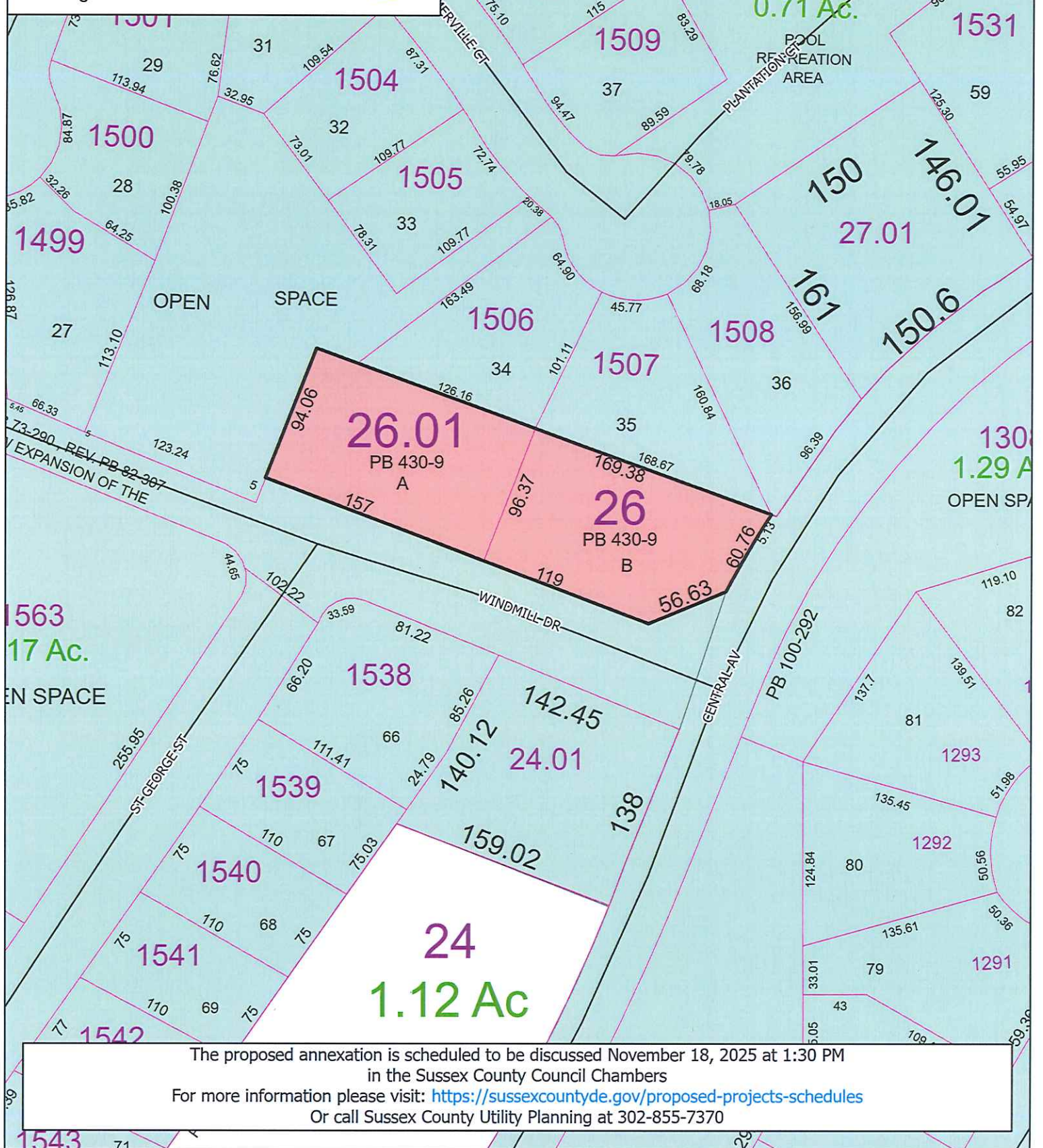
NOTE: The above description has been prepared using Sussex County Tax Map 134-16.00 and Sussex County property assessment records. The annexation contains .87 acres more or less.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

The public hearing will be held on this issue at 1:30 p.m. on November 18, 2025, at the regularly scheduled Sussex County Council meeting. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-7370 (option 1).

Mike Harmer, P.E.
County Engineer

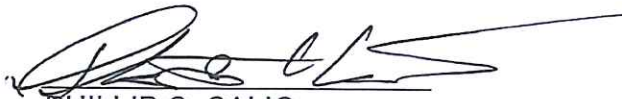


SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT
IRWIN PROPERTIES
AFFIDAVIT FOR PUBLIC NOTICE

STATE OF DELAWARE)(:
COUNTY OF SUSSEX)(

BE IT REMEMBERED That the subscriber, PHILLIP C. CALIO, personally appeared before me and known to me personally to be such, who being by me duly sworn to law did depose and say as follows:

- A. On October 21, 2025, he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 21, 2025, he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
1. On the site of the proposed expansion in the following four (4) locations:
 - a. On a post in the westerly Right-of-Way (ROW) of Central Avenue 18' southwest of DEC Box 79895 S2L1;
 - b. On a post in the northeasterly ROW of Windmill Drive in front of VZ BA22/1 Pole, 87' west of Central Ave.;
 - c. On a post in the northeasterly ROW of Windmill Drive, 105' northwest of VZ BA22/1 pole;
 - d. On a post in the northeasterly ROW of Windmill Drive in front of VZ BG/1 pole, across from St. George St. Wedgewood Subd.;
 2. On a post in front of a STOP sign at the intersection of Village Blvd. and Central Ave., at Fairway Village Subdivision;
 3. On a post in front of a STOP sign at the intersection of Willow Oak Drive and Central Avenue, at The Village of Bear Trap Dunes Subd.;
 4. On a post in front of a STOP sign at the intersection of Wedgefield Blvd and Central Avenue at Wedgefield/Avon Park Subdivision;
 5. On a post in front of a STOP sign at the intersection of Brandywine Drive and Windmill Drive at Bishop's Landing Subdivision.


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 22 day of OCTOBER A.D., 2025


NOTARY PUBLIC

My Commission Expires AUGUST 29, 2027



RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) MILLVILLE AREA, TO INCLUDE IRWIN PROPERTIES (TWO PARCELS) LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

WHEREAS, Sussex County has established the Sussex County Unified Sanitary Sewer Sanitary Sewer District (SCUSSD); and

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of Windmill Drive and Central Avenue, the inclusion of this area will be beneficial; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (a), the Sussex County Council may, upon request of the County Engineer, revise the boundary of an established sewer district when 50 or more houses have been connected by posting a public notice in four public places in the district describing the new or revised boundary; and

WHEREAS, the Sussex County Council has caused to be posted a public notice in at least four public places in the district, as verified by the affidavit of Phillip C. Calio, a copy of which affidavit and public notice is attached hereto and made a part hereof; and

WHEREAS, in accordance with 9 Del.C., Section 6502 (b), the Sussex County Council shall, within ninety days after posting the public notices pass a formal resolution establishing the new boundary of the district;

NOW, THEREFORE,

BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above at the intersection of Windmill Drive and Central Avenue and further described as follows:

Beginning at a point, said point being on the northwesterly Right-of-Way (ROW) of Central Avenue, said point also being on the SCUSSD boundary, said point further being a shared property corner of lands Now or Formerly (N/F) of Joseph R & Kristof Andreas Irwin and Karl R. & Gail Hettel; thence proceeding by and with said SCUSSD boundary and Irwin lands in a southwesterly, northwesterly, northeasterly, southeasterly direction respectively a total distance of 771'± to a point, said point being the **Point of Beginning**.

NOTE: The above description has been prepared using Sussex County Tax Map 134-16.00 and Sussex County property assessment records.

A map outlining and describing the extension of the SCUSSD is attached. The area involved is crosshatched.

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Engineer and the Attorney for the County Council to procure the necessary lands and right-of-way by purchase, agreement, or condemnation in accordance with the existing statutes; and

BE IT FURTHER RESOLVED that the County Engineer is hereby authorized to prepare maps, plans, specifications, and estimates, let contracts for and supervise the construction and maintenance of, or enlarging and remodeling of, any and all structures required to provide for the safe disposal of sewage in the sanitary sewer district, as amended.



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: November 14, 2025

RE: County Council Report for Ordinance No. 25-01 relating to Marijuana Stores

On September 23, 2025, the County Council introduced an Ordinance relating to the proposed amendment of Chapter 115 (the Zoning Code) of the Code of Sussex County.

The Planning & Zoning Commission held a Public Hearing on the Ordinance on October 15, 2025. At the meeting on October 15, 2025, the Planning and Zoning Commission recommended that the County Council adopt the Ordinance for the reasons outlined in the Commission's motion.

Below are the minutes from the Planning & Zoning Commission meeting on October 15, 2025.

Minutes of the October 15, 2025, Planning & Zoning Commission Meeting

ORD 25-01 – Marijuana Uses Amendments

AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES XIA, XIC AND XXV, SECTIONS 115-83.11 115-83.18, 115-83.19A AND 115-194.7 AND "115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV PERMITTED USES COMMERCIAL" TO AMEND THE REQUIREMENTS FOR RETAIL MARIJUANA STORES IN SUSSEX COUNTY.

Mr. Vince Robertson advised the Commission that the State of Delaware passed legislation making certain types of marijuana facilities legal in the State of Delaware, regarding marijuana retail stores, particularly retail marijuana stores; that counties could regulate them, and municipalities could prohibit them; that several municipalities within Sussex County prohibited them; that Sussex County regulated the stores originally by stating that they could only be permitted in the C-3 (Heavy Commercial) District with a Conditional Use; that anytime someone wanted to open up a retail marijuana store, they would have to come before the Planning & Zoning Commission and the Sussex County Council;



that for a variety of reasons, it has been revisited by County Council and the current proposal is to open the restrictions up to some degree, to allow the use to be a permitted use within the C-3 (Heavy Commercial) District, which is what the current Ordinance proposes; that within the C-3 (Heavy Commercial) and the C-1 (Medium Commercial) Zoning Districts the retail use would no longer require a Conditional Use; that the other change the Ordinance proposes is in regard to the separation distance requirements as they currently exist in Code; that no retail marijuana store is permitted to be located within three miles of any municipal boundary; that the County's thought process was to have some separation distance between the municipalities that have prohibited retail marijuana stores to avoid someone establishing a marijuana retail store right across the boundary of the town, which would defeat the purpose of the Town's prohibition; that the proposal of the current Ordinance is to reduce the separation distance requirement from three miles to 0.5 mile; that there was some discussion about changing the separation distance between retail marijuana stores; that the Code currently states "*No retail marijuana store shall be located within three miles of any other retail marijuana store*"; that when originally drafted, Sussex County simply mirrored the rules for liquor stores in Delaware to remain consistent, and avoid coming up with an arbitrary number; that this requirement is not proposed to be changed; that likewise there is a three mile separation distance between marijuana retail stores and churches, schools, colleges or substance abuse treatment facilities; that there is no proposal to change this requirement either, and in summary the only two changes proposed are to make the retail marijuana store permitted within the C-2 and C-3 zoning districts, and to reduce the distance from a retail store to a municipal boundary from three miles to 0.5 mile.

The Commission found that no one was present who wished to provide public comment on the Ordinance.

Upon there being no further questions, Madam Chair Wingate closed the public hearing.

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

Mr. Robertson read Mr. Mears' motion into the record per Mr. Mears' request.

Mr. Mears moved that the Commission recommend approval of Ordinance No. 25-01, being an ordinance to amend the Code of Sussex County, Chapter 115, Articles XIA, XIC, and XXV, Sections 115-83.11, 115-83.18, 115-83.19A, and 115-194.7, and "115 Attachment 4, Sussex County Table IV Permitted Uses Commercial" to amend the requirements for retail marijuana stores in Sussex County, so that they are permitted uses in C-2 (Medium Commercial) and C-3 (Heavy Commercial), and the separation distance between municipal boundaries and retail marijuana stores is reduced to 0.5 mile.

Motion by Mr. Mears, seconded by Mr. Collins, and carried unanimously to recommend approval of Ord 25-01 for Marijuana Uses Amendments for the reasons stated in the public hearing. Motion carried 5-0.

Vote by roll call: Mr. Passwaters – yea, Mr. Allen – yea, Mr. Mears – yea, Mr. Collins – yea, Madam Chair Wingate – yea

Mr. Passwaters voted yea, for the reasons stated during the public hearing.

Mr. Collins voted yea, for the reasons stated during the public hearing.

Mr. Allen voted yea, for the reasons stated during the public hearing.

Mr. Mears voted yea, for the reasons stated during the public hearing.

Madam Chair Wingate voted yea, for the reasons stated during the public hearing.

AN ORDINANCE TO AMEND THE CODE OF SUSSEX COUNTY, CHAPTER 115, ARTICLES XIA, XIC, XXV, SECTIONS 115-83.11 115-83.18, 115-83.19A AND 115-194.7 AND “115 ATTACHMENT 4, SUSSEX COUNTY TABLE IV PERMITTED USES COMMERCIAL” TO AMEND THE REQUIREMENTS FOR RETAIL MARIJUANA STORES IN SUSSEX COUNTY.

WHEREAS, Ordinance No. 3016 was adopted by Sussex County on May 14, 2024; and

WHEREAS, as it did with Ordinance No. 3016, Sussex County acknowledges that many municipalities have prohibited Marijuana Establishments and as a result thereof Ordinance No. 3016 created distance separation requirements from any municipal boundary so that municipalities that have prohibited Marijuana Establishments are not circumvented by having them immediately adjacent to their municipal boundaries; and

WHEREAS, Sussex County desires to amend and reduce the existing three-mile separation distance between such establishments and municipalities to one-half of a mile; and

WHEREAS, it remains the intention of Sussex County to permit Marijuana Establishments in appropriate zoning districts, with reasonable requirements concerning the proximity to schools, churches, substance abuse treatment facilities and other Marijuana Establishments; and

WHEREAS, Sussex County has determined that it can be appropriate for Retail Marijuana Stores to operate in the C-2 Medium Commercial District and C-3 Heavy Commercial District as a Permitted Use; and

WHEREAS, it has been determined that this Ordinance promotes and protects the health, safety, convenience, orderly growth and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, Chapter 115, Article XIA, § 115-83.11 is hereby amended by inserting the italicized and underlined language therein as follows:

§ 115-83.11. Permitted Uses.

A. A building or land shall on be used for the following purposes:

...

- (1) Agriculture-related uses.
 - (a) Wholesale, retail nurseries for sale of products produced on site.
 - (b) *Retail Marijuana Store, subject to the requirements of §115-194.7.*

Section 2. The Code of Sussex County, Chapter 115, Article XIC, § 115-83.18 is hereby amended by inserting the italicized and underlined language therein as follows:

§ 115-83.18. Permitted Uses.

B. A building or land shall on be used for the following purposes:

...

- (1) Agriculture-related uses.
 - (a) Greenhouse, commercial
 - (b) Wholesale, retail nurseries for sale of products produced on site.

- (c) Marijuana Cultivation Facilities, Marijuana Product Manufacturing Facilities or Marijuana Testing Facilities.
- (d) Retail Marijuana Store, subject to the requirements of §115-194.7.

Section 3. The Code of Sussex County, Chapter 115, Article XIC, is hereby amended by deleting § 115-83.19A “Conditional Uses” in its entirety by deleting the language in brackets as follows:

[§ 115-83.19A. Conditional Uses.

The following uses may be permitted as conditional uses when approved in accordance with Article XXIV of this Chapter:

Retail Marijuana Store, subject to the requirements of §115-194.6.]

Section 4. The Code of Sussex County, Chapter 115, Article XXV § 115-194.7 “Marijuana Establishments”, is hereby amended by deleting the language in brackets and inserting the italicized and underlined language therein as follows:

§ 115-194.7. Marijuana Establishments.

All Marijuana Establishments shall be subject to the following requirements:

- A. No Retail Marijuana Store shall be located within [three miles] one-half of a mile of any municipal boundary.
- B. No Retail Marijuana Store shall be located within three miles of any other Retail Marijuana Store.

- C. No Retail Marijuana Store shall be located within three miles of any church, school, college, or substance abuse treatment facility as defined under §2203 of Title 16 of the Delaware Code.
- D. Retail Marijuana Stores may only operate between the hours established for them by Title 4 of the Delaware Code.
- E. Any approved and licensed Marijuana Establishment in existence as of the date of adoption of this Ordinance shall be considered a legal, nonconforming use. Any licensed and approved pre-existing, legally nonconforming Retail Marijuana Store shall be subject to the hours of operation set forth in subsection D. herein.

Section 5. The Code of Sussex County, “115 Attachment 4, Sussex County, Table IV Permitted Uses, Commercial”, is hereby amended by deleting the language in brackets and by inserting the italicized and underlined language therein as follows:

Blank = Not Permitted P = Permitted Use SUE =Special Use Exception CU = <i>Conditional Use</i> A = Permitted Accessory Use, see section D =Definition, see section	Zone B- 2	Zone B-3	Zone C-2	Zone C-3	Zone C-4	Zone C-5	Zone I-1
Agriculture-Related Uses							
<i>Marijuana Cultivation Facilities</i>				<i>P</i>			
<i>Marijuana Product Manufacturing Facilities</i>				<i>P</i>			
<i>Marijuana Testing Facilities</i>				<i>P</i>			
Sales and Rental of Goods, Merchandise, and Equipment							
<i>Retail Marijuana Store</i>			<u>P^s</u>	[CU] <u>P^s</u>			

⁵ *Subject to the requirements of §115-194.7.*

Section 6. Severability.

The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of Delaware by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Section 7. Effective Date.

This Ordinance shall take effect immediately upon its adoption by Sussex County Council.



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: November 14, 2025

RE: County Council Report for C/U 2483 filed on behalf of Andrew Lewandowski

The Planning and Zoning Department received an application (C/U 2483 filed on behalf of Andrew Lewandowski) for a Conditional Use for roofing & siding contractor business with indoor and outdoor storage in an AR-1 Agricultural Residential Zoning District at Tax Parcel 135-15.00-79.02. The property is located at 22610 Lewes-Georgetown Highway, Georgetown. The parcel size is 6.92 ac. +/-

The Planning & Zoning Commission held a Public Hearing on the application on October 1, 2025. At the meeting on October 15, 2025, the Planning and Zoning Commission recommended that the County Council approve the application for the 9 reasons and subject to the 11 recommended conditions of approval as outlined in the Commission's motion.

Below are the minutes from the Planning & Zoning Commission meeting on October 1, 2025, and October 15, 2025.

Minutes of the October 1, 2025, Planning & Zoning Commission Meeting

C/U 2483 Andrew Lewandowski

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A ROOFING & SIDING CONTRACTOR BUSINESS WITH INDOOR AND OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 6.92 ACRES, MORE OR LESS. The property is lying the south side of Lewes Georgetown Highway (Rt. 9), approximately 0.32 mile southwest of Park Avenue (S.C.R.



318). 911 Address: 22610 Lewes-Georgetown Highway, Georgetown. Tax Map Parcel: 135-15.00-79.02.

Mr. Whitehouse advised the Commission that submitted into the record were the Staff Analysis Report, the DelDOT Service Level Evaluation Response letter, the Applicant's Conditional Use Site Plan, and the Applicant's Exhibits. Mr. Whitehouse advised the Commission that zero comments had been submitted on behalf of the Application.

The Commission found that Mr. David Hutt, Esq. with Morris James, LLP spoke on behalf of the Applicant, Mr. Andrew Lewandowski, who was also present. Mr. Hutt stated that the property ownership was changed to Bayside Rt. 9, LLC; that Mr. Andrew Lewandowski was a member of Bayside Rt. 9, LLC, along with his wife; that the Application sought to allow the operation of a roofing and siding contractor construction business, with indoor and outdoor storage; that the business name is Bayside Exteriors; that the property is located at 22610 Lewes Georgetown Highway (Rt. 9); that the property is located just slightly east of Sports at the Beach; that when traveling from the Harbeson area, heading in a westerly direction along Rt. 9, one would come to the traffic signal, located where the Sussex County Association of Realtors is located along Park Avenue; that after that one would pass the antique store named the Tin Roof Trading Post; that just past the antique store, located on the left, would be the subject property; that the Applicant purchased the property in 2018, at which time their parents used the manufactured home located at the front of the property; that the site consists of 6.9 acres; that the family does use the site as a country lot; that there are gardens, an area for goats, a fire pit and several outbuildings for storage on the site; that the nearest intersection to the site is Park Avenue and Rt. 9; that according to the Office of State Planning's State Strategies Map from 2020, the property is located within a Level 2 Investment Area, being a location where investment and policy should support and encourage a wide range of uses; that according to the Future Land Use Map for Sussex County, the site is located within a Developing Area, being one of the seven growth areas in Sussex County; that all along Rt. 9 is designated with a Growth Area, Commercial Area or an Industrial Area; that per the Sussex County Zoning Map, the site is located within the AR-1 (Agricultural Residential) Zoning District, as well as the properties located immediately adjacent to the site; that along Rt. 9 there are many properties located within the CR-1 (Commercial Residential), C-1 (General Commercial), HI-1 (Heavy Industrial), and LI-2 (Light Industrial); that the Staff Memo to the Planning Commission states there are seven Conditional Uses located within a one-mile radius of the site; that the Conditional Uses have been approved for a variety of office, business, and residential uses; that there are no wetlands located on the property; that the property is not located within a Wellhead Protection or Excellent Groundwater Recharge area; that there are no resources located on the site, as the term is defined in the County Code; that therefore, there are no Resource Buffer Protection Areas; that the site is located outside of the floodplain, as it is located within Flood Zone X on the FEMA Flood Maps; that water is provided through an on-site well; that sewer is provided through an on-site wastewater and disposal system; that a Service Level Evaluation Request was submitted to DelDOT; that the DelDOT Service Level Response indicated that the traffic impact based on the Memorandum of Understanding with Sussex County, would be diminutive, as it would be less than 50 vehicle trips per day; that presently, Bayside Exteriors employs 16 people; that the site is intended to be used for storage of materials and transportation to the job sites; that it is anticipated that there would be one primary person, whose job would be to receive items, and then distribute the items through the County as they are needed; that there could be up to four people working at the site at any one time, to help work through the storage of materials, then distributing it to the various job sites that Bayside Exteriors is working at; that there is no showroom area or client meeting space

proposed for the site; that the work is performed at various construction job sites, where they provide roofing and siding services; that as shown on the Site Plan, the entrance is located off Rt. 9; that there is a manufactured home currently existing on the site, along with a barn, an outbuilding, a pole building, a goat pen and fire pit; that the existing buildings are used for storage; that there is an area on the Site Plan for proposed for outside storage; that in that area storage containers are proposed to keep materials from the elements; that the gravel area for outside storage has migrated closer to the property line; that the Applicant has proposed a 20 foot setback from the side property line, and the extended gravel will be pushed back; that pursuant to §115-171, Conditional Uses are generally of a public or semi-public character, being essential and desirable for the general convenience and welfare of the County; that because of their nature of their use, and the importance of the relationship to the Comprehensive Plan, Conditional Uses require the exercise of the Planning Commission and the County Council, regarding their location and Site Plan review; that the proposed use is of public character, being similar to the other commercial uses already approved; that Bayside Exteriors is a locate, small business that provides roofing and siding services to residents throughout Sussex County; that the Applicant met with his neighbor to the west, Mr. Bell, owner of Clean Cut Pavers and Pools; that Mr. Bell provided a letter of support for the Application; that the other side of the property is currently wooded and unimproved; that Mr. Hutt request to submit into the record, Findings of Fact and proposed Conditions of Approval for the application; that proposed Condition B refers to outside storage; that the condition states that the outside storage on the site will be required to be shown on the Site Plan; that proposed Condition C indicates where vehicles will be parked and that designated parking spaces will be shown on the Final Site Plan; that proposed Condition D states that the hours of operation would be from 6:00 am until 6:00 pm, Monday through Friday, and from 7:00 am until 3:00 pm on Saturdays; that there will be no Sunday hours; that the Applicant proposed an indirectly illuminated sign of 32 square feet; that service would be provided to the company vehicles on the site; that a private company properly removes the fluids from the site; that all vehicle service would be performed inside a building on the site; that based on the surrounding area, the State Strategies Map, the Comprehensive Plan designation, and the Zoning Code, the Applicant requested the Planning Commission to recommend to County Council that the requested Conditional Use be approved with the proper imposed conditions, and Mr. Hutt stated that the site, being along Rt. 9, is a good, central location to store materials for Bayside Exteriors, as it is convenient for them to access many areas both east and west, as they perform work for the residents of Sussex County.

Mr. Passwaters questioned whether screened dumpsters on the site would be included in the storage area.

Mr. Hutt stated that there is a dumpster shown on the Site Plan; that, because of the other storage items, it is fairly hidden from view; that one would have to drive into the site to see it; that the dumpster would not be visible from Rt. 9, and that this is what was intended with the proposed Condition.

Madam Chair Wingate questioned the number of employees.

Mr. Hutt stated that for the subject site, there would likely be one full-time employee; that up to four employees could be on site, depending on whether a delivery truck arrived; that the total number of employees for Bayside Exteriors is 16 employees; that those employees may visit the site at various times, however, those 16 employees are not stationed at the subject site, and it would not be the location where the employees begin and end their day, aside from the one mentioned full-time employee.

Mr. Robertson questioned whether the manufactured home would remain on the site and continue to be used as a residence, and he stated that it appeared that the proposed use was somewhat existing currently.

Mr. Hutt stated that the existing manufactured home is proposed to stay to remain as a residence, and the proposed use is currently existing.

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

Upon there being no further questions, Madam Chair Wingate closed the public hearing.

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

In relation to C/U 2483 Andrew Lewandowski. Motion by Mr. Passwaters to defer action for further consideration, seconded by Mr. Collins, and carried unanimously. Motion carried 4-0.

Minutes of the October 15, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since October 1, 2025.

Mr. Passwaters moved that the Commission recommend approval of C/U 2483 Andrew Lewandowski for a roofing and siding contractor business with indoor and outdoor storage on land zoned AR-1 based on the record made during the public hearing, and for the following reasons:

1. The applicant operates a roofing and siding contracting business from the site. His business has expanded to the point where a conditional use is required.
2. The Applicant's family owns the land that surrounds the site, and the Applicant's family resides in the home on the property.
3. The business use is primarily located at the rear of the Applicant's property, where it will have the least impact on any neighboring properties and will not be visible from Route 9.
4. 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.
5. There will be little or no customer traffic to the site, and most employees will meet at off-site job locations. Materials are generally delivered to off-site locations as well.
6. The proposed use will not alter the character of the surrounding area in any manner that substantially limits or impairs the use and enjoyment of the surrounding properties. There are also several other commercial and office uses in the vicinity of this site.
7. The use has a public or semi-public character that is desirable for the general convenience and welfare of the area and the County.
8. The property is served by an on-site well and an on-site septic system.
9. No parties appeared in opposition to the application.
10. This recommendation is subject to the following conditions:

- A. The property shall be used for a roofing and siding contracting business with indoor and outdoor storage in addition to the existing residence on the property.
- B. All vehicle or equipment repairs shall be conducted inside existing or future buildings located within the site.
- C. One indirectly lighted sign shall be permitted. It shall not be larger than 32 square feet per side.
- D. The hours of operation shall be between 6:00 a.m. and 6:00 p.m., Monday through Friday, and on Saturdays between 7:00 a.m. and 3:00 p.m. No Sunday hours shall be permitted.
- E. Any outdoor 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 shall be screened from the view of neighboring properties and roadways. The dumpster locations shall be shown on the Final Site Plan.
- G. The Applicant shall comply with any DelDOT requirements for entrance and roadway improvements.
- H. Any violation of these conditions of approval may result in the termination of this Conditional Use.
- I. All outside storage of construction materials shall only occur in the areas shown on the Final Site Plan. These locations shall be clearly identified on the site with fencing, bins, enclosures or other designations.
- J. All vehicular parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.
- K. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Passwaters, seconded by Mr. Collins, and carried unanimously to recommend approval for C/U 2483 Andrew Lewandowski for the reasons and the conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Mr. Passwaters – yea, Mr. Allen – yea, Mr. Mears – yea, Mr. Collins – yea, Madam Chair Wingate – yea

Mr. Passwaters voted yea, for the reasons and the conditions stated in the motion.

Mr. Allen voted yea, for the reasons and the conditions stated in the motion.

Mr. Mears voted yea, for the reasons and the conditions stated in the motion.

Mr. Collins voted yea, for the reasons and the conditions stated in the motion.

Madam Chair Wingate voted yea, for the reasons and the conditions stated in the motion.

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: Mrs. Christin Scott, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: September 24, 2025
RE: Staff Analysis for CU 2483 Andrew Lewandowski

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2483 Andrew Lewandowski to be reviewed at the October 1st, 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: 135-15.00-79.02

Proposal: The request is for a Conditional Use for Tax Parcel #135-15.00-79.02 to allow for a “Roofing and Siding Contractor with Indoor and Outdoor Storage” to be located on a Parcel located on the south side of Lewes Georgetown Highway (Rt. 9). The Parcel is comprised of a total of 6.92 acres +/-.

Zoning: The subject property is zoned AR-1 Agricultural Residential District. All adjacent parcels in the immediate vicinity to the Parcel are zoned Agricultural Residential (AR-1) District, with parcels further west being zoned Commercial Residential (CR-1), Neighborhood Business (B-1), and General Commercial (C-1). Parcels further east are zoned General Commercial (C-1), Commercial Residential (CR-1), and Heavy and Light Industrial (HI-1 & LI-1). The Town of Georgetown is located further west of the subject property.

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 has land use designation of “Developing Area.” All surrounding properties to the north, south, east, and west of the subject site contain a Growth Area Future Land Use Map designation of “Developing Area.”

Developing Areas are newer, emerging growth areas that demonstrate the characteristics of developmental pressures and the Plan notes that “most of the proposed Developing Areas are



adjacent to municipalities...or adjacent to Town Centers” (2018 Sussex County Comprehensive Plan, 4-14). The Plan also notes guidelines for density in areas classified Developing Area, noting that a “density (4-12 units per acre) can be appropriate” where development can be supported by central water/sewer, a proximity to commercial and employment centers, or location along a main road or intersection (2018 Sussex County Comprehensive Plan, 4-14). Finally, the Plan notes that “a range of housing types should be permitted in Developing Areas, including single-family homes, townhouses, and multi-family units.” (2018 Sussex County Comprehensive Plan, 4-14).

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):** The parcel is not within the Henlopen Transportation Improvement District.
- **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”. Staff note there are no Wellhead Protection Areas on the site. The Parcel is classified as within areas of “Fair” 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 “Roofing and Siding Contractor with Indoor and Outdoor 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 seven (7) Conditional Use applications within a one (1) mile radius of the application site. A Data Table has 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)						
Application CU Number	Application Name	Zoning District	Proposed Use	CC Decision Date	CC Decision	Ordinan ce Number
2083	Richard H. Bell, III	AR-1	contracting business with outdoor storage and crushing of concrete	8/8/2017	Approved	2515
2119	Chad Hayes	AR-1	automotive sales with minor repair and contractor office with storage	4/17/2018	Approved	2571
2182	Samuel G. Thomas	AR-1	automotive repair and dealer	9/17/2019	Approved	2679
2228	M.L. Joseph Heirs Farm Account, LLC	AR-1	Campground	11/17/2020	Approved	2755
2369	Leeward Chase DE, LLC	AR-1	Multi-Family (106)	6/27/2023	Approved	2936
2412	Marco Morales	AR-1	Professional Office for Construction	5/14/2024	Approved	3013
2468	Richard H. Bell	AR-1	Mobilization Yard & Soil Storage	5/13/2025	Approved	

Sussex County



August 28, 2025

Override 1

Override 2

Municipal Boundaries

Tax Parcels

Streets

County Boundaries

layer48

Red: Band_1

Green: Band_2

Blue: Band_3

1:9,028

00.070.150.3

mi

00.130.250.5

km

DNREC, Division of Watershed Stewardship, Drainage Program, john.inkster@state.de.us, Sussex County, Sussex County Government

Sussex County



August 28, 2025

layer47

- Red: Band_1
- Green: Band_2
- Blue: Band_3

polygonLayer

- Override 1
- Override 2
- Zoning
- Commercial Residential - CR-1

- Light Industrial - LI-2
- C1: General Commercial
- B-1: Neighborhood Business
- Municipal Boundaries
- Tax Parcels

- Streets
- County Boundaries
- World Imagery
- Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

2.4m Resolution Metadata

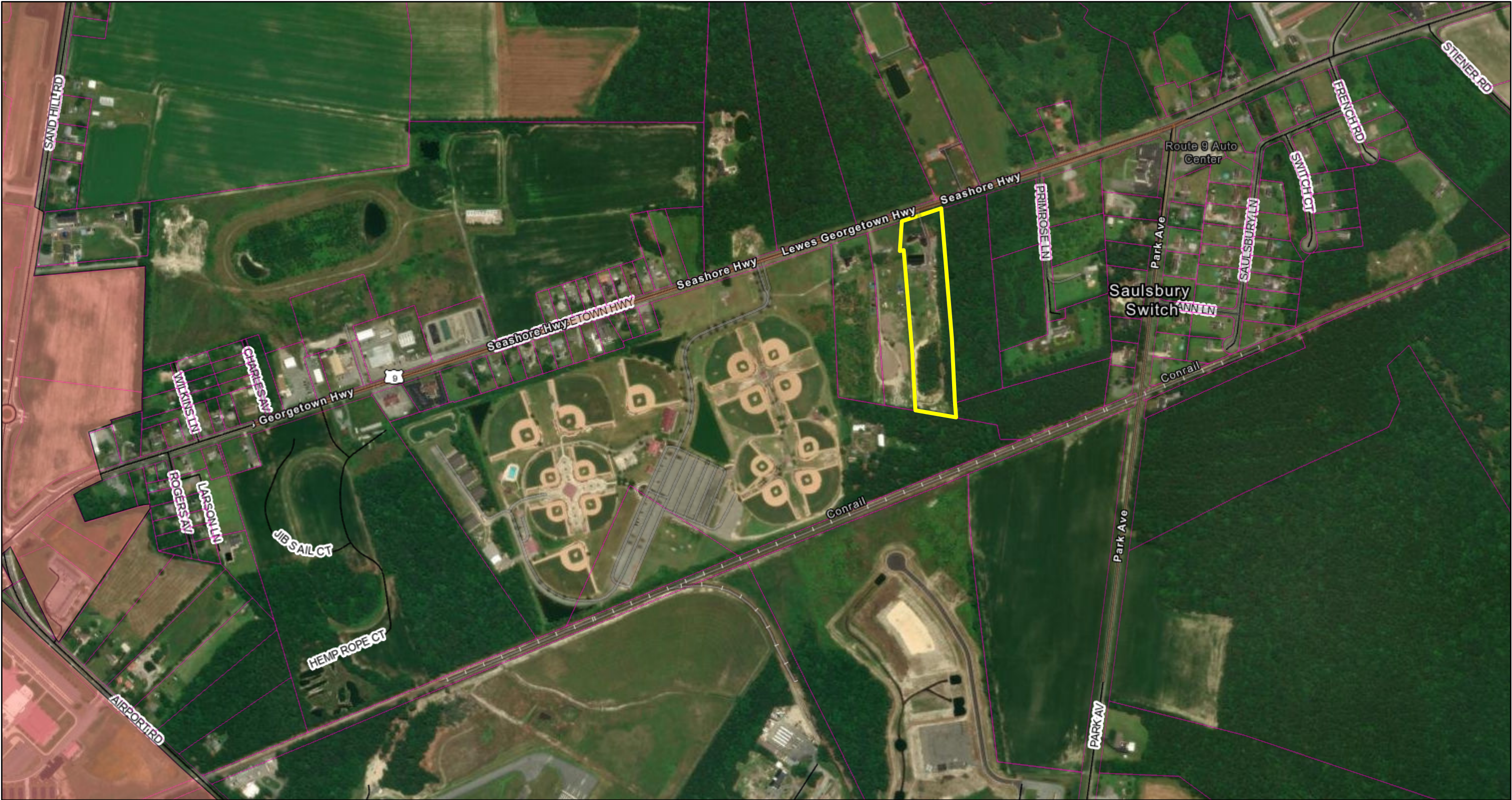
1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

DNREC, Division of Watershed Stewardship, Drainage Program, john.inkster@state.de.us, Sussex County, Sussex County Government, Maxar

Sussex County



August 28, 2025

layer47

- Red: Band_1
- Green: Band_2
- Blue: Band_3

polygonLayer

- Override 1
- Override 2
- Municipal Boundaries
- Tax Parcels

Streets

County Boundaries

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

2.4m Resolution Metadata

1:9,028

0 0.07 0.15 0.3 mi

0 0.13 0.25 0.5 km

DNREC, Division of Watershed Stewardship, Drainage Program, john.inkster@state.de.us, Sussex County, Sussex County Government, Maxar

Introduced: 9/9/25

Council District 5: Mr. Rieley

Tax I.D. No.: 135-15.00-79.02

911 Address: 22610 Lewes-Georgetown Highway, Georgetown

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A ROOFING & SIDING CONTRACTOR BUSINESS WITH INDOOR AND OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 6.92 ACRES, MORE OR LESS

WHEREAS, on the 25th day of September 2023, a conditional use application, denominated Conditional Use No. 2483, was filed on behalf of Andrew Lewandowski.; 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. 2483 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. 2483 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 south side of Lewes Georgetown Highway (Rt. 9), approximately 0.32 mile southwest of Park Avenue (S.C.R. 318) and being more particularly described in the attached legal description prepared by Hudson, Jones, Jaywork & Fisher., said parcel containing 6.92 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: November 14, 2025

RE: County Council Report for C/U 2500 filed on behalf of Sean Vermillion

The Planning and Zoning Department received an application (C/U 2500 filed on behalf of Sean Vermillion) for a Conditional Use to allow for a storage business (6 units) in an AR-1 Agricultural Residential Zoning District at Tax Parcel 533-17.00-93.03. The property is located at 31459 Polly Branch Road, Selbyville. The parcel size is 1.07 ac. +/-

The Planning & Zoning Commission held a Public Hearing on the application on October 1, 2025. At the meeting on October 15, 2025, the Planning and Zoning Commission recommended that the County Council approve the application for the 6 reasons and subject to the 9 recommended conditions of approval as outlined in the Commission's motion.

Below are the minutes from the Planning & Zoning Commission meeting on October 1, 2025, and October 15, 2025.

Minutes of the October 1, 2025, Planning & Zoning Commission Meeting

C/U 2500 Sean Vermillion

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO ALLOW FOR A STORAGE BUSINESS (6 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.07 ACRES, MORE OR LESS. The property is lying on the east side of Polly Branch Road (S.C.R. 386), approximately 0.50-mile southeast of the intersection of Roxana Road (Rt. 17). 911 Address: 31459 Polly Branch Road, Selbyville. Tax Map Parcel: 533-17.00-93.03.



Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Conditional Use Site Plan, the DelDOT Service Level Evaluation Response Letter, the Staff Analysis, and the property deed. Mr. Whitehouse advised the Commission that no comments were received on behalf of the application.

The Commission found that Mr. Sean Vermillion spoke on behalf of his Application. Mr. Vermillion stated that he currently has a storage building on the property; that he had quite a few people ask if they could pay to store their boats in the building on the site; that he wanted to make sure if he allowed the onsite storage, that he did it the correct way; that he can build the building by right, and there are no issues with the setback requirements, however he does require a Conditional Use approval for the proposed use to lease the spaces out; that he is proposing to building a 100' x 32', resulting in a 3,200 square foot building, which would be divided into six different units for lease; that there will be no water or sewer provided to the building, and that he would likely only run electric to the building.

Mr. Allen questioned what is proposed to be stored within the six units.

Mr. Vermillion stated he anticipated mostly boat storage; that he is proposing to build the units 30 feet deep to allow for boat storage, and boat storage was his main target, however, if someone wanted to store furniture, he would be ok with it.

Madam Chair Wingate stated that Mr. Vermillion's application stated his proposed use was for indoor and outdoor storage, and she questioned what would be stored outdoors.

Mr. Vermillion stated that he would not be leasing space for outdoor storage at all; that no one would be allowed to store anything outside; that he also owns the adjacent property, where he has tenants; that he did not want his tenants to have to look at outdoor storage on the site; that he was unsure why he would have put outdoor storage on the application; that currently, he has his personal trailer parked next to the existing building, but that is his personal vehicle and is not placed there for outdoor storage.

Mr. Robertson questioned what the surrounding area was like.

Mr. Vermillion stated that two years ago, it was entirely wooded across the street from the site; that currently it is a brand new residential development; that to the rear of the site is woods; that behind those woods is another residential development; that there is a big storage unit along Rt. 54, and Rt. 20, and that there is not a lot of traffic along Polly Branch Road.

Madam Chair Wingate questioned whether or not Mr. Vermillion wanted a business sign or not.

Mr. Vermillion stated he would want a small sign to advertise his phone number and contact information.

Mr. Whitehouse questioned whether any service repairs would be performed onsite.

Mr. Vermillion stated he would rent the units for storage only; that if he is not on the site, he would not necessarily be able to stop someone from performing repairs; that his lease would be for storage only; that he is from Northern Virginia, and is very familiar with AR-1 property, where if anyone is working on a vehicle in an area that he leases, they would get shut down right away.

Madam Chair Wingate stated that is what would happen in AR-1 within Sussex County if repairs were being performed on the site without property approvals.

Mr. Allen questioned whether the site would be gated or not.

Mr. Vermillion stated that the site would not be gated; that he proposed to leave it open; that it is a common entryway; that he has his personal building on the site as well, and the proposed storage building would be located between his existing building and the house on the adjacent parcel.

That he has had his storage building on the site for a couple of years with no problems; that the tenants located on the adjacent parcel watch over it all, and they would call him right away if there was anything concerning going on at 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, Madam Chair Wingate closed the public hearing.

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

In relation to C/U 2500 Sean Vermillion. Motion by Mr. Collins to defer action for further consideration, seconded by Mr. Allen, and carried unanimously. Motion carried 4-0.

Minutes of the October 15, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since October 1, 2025.

Mr. Robertson read Mr. Mears' motion into the record, per Mr. Mears' request.

Mr. Mears moved that the Commission recommend an approval of C/U 2500 Sean Vermillion for a six (6) unit storage business within the AR-1 District based upon the record made during the public hearing and for the following reasons:

1. The Applicant seeks to convert two existing structures into 6 storage units. It is anticipated that the units will be used for boat, RV, and vehicle storage.
2. There will not be any outdoor storage permitted on the site.
3. There are several new developments in the vicinity which limit or prohibit storage on lots within the developments. This is an appropriate, convenient location for a storage site within existing buildings.
4. The Applicant has stated that the use will not have a substantial impact upon area roadways.
5. This relatively small storage facility will not have an adverse impact upon the neighboring properties or community.
6. No parties appeared in opposition to this Application.
7. This recommendation for approval is subject to the following conditions:
 - A. The storage facility on this site shall be limited to six storage units within the existing buildings on the site. The property shall not be used for vehicle, equipment, or boat

repairs or for manufacturing or industrial purposes. No unit shall be primarily used as an office. In addition, the property may not be used by a business for meeting customers, as a showroom, or as a “mail-drop” or pick up or delivery location for customers.

- B. There shall not be any outside storage permitted on the site.
- C. One unlighted sign shall be permitted. It shall not exceed 32 square feet in size.
- D. No hazardous materials or fuel shall be stored on the property other than what may be in the tanks of vehicles, boats, or watercraft located within the storage units on the site.
- E. The site shall be screened with fencing and/or planting along the common boundaries with the residential properties on the north and south sides of the site.
- F. Any dumpsters on the site shall be screened from the view of neighboring properties and roadways. The dumpster locations shall be shown on the Final Site Plan.
- G. The site shall be subject to all DelDOT entrance and roadway requirements.
- H. Any violation of these conditions may be grounds for termination of this conditional use.
- I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

Motion by Mr. Mears, seconded by Mr. Allen, and carried unanimously to recommend approval of C/U 2500 Sean Vermillion for the reasons and the conditions stated in the motion. Motion carried 5-0.

Vote by roll call: Mr. Passwaters – yea, Mr. Allen – yea, Mr. Mears – yea, Mr. Collins – yea, Madam Chair Wingate – yea

Mr. Passwaters voted yea, for the reasons and the conditions stated in the motion.

Mr. Allen voted yea, for the reasons and the conditions stated in the motion.

Mr. Mears voted yea, for the reasons and the conditions stated in the motion.

Mr. Collins voted yea, for the reasons and the conditions stated in the motion.

Madam Chair Wingate voted yea, for the reasons and the conditions stated in the motion.

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: Mrs. Christin Scott, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: September 24, 2025
RE: Staff Analysis for CU 2500 Sean Vermillion

The purpose of this memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application CU 2500 Sean Vermillion to be reviewed at the October 1st, 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: 533-17.00-93.03

Proposal: The request is for a Conditional Use for Tax Parcel #533-17.00-93.03 to allow for "Storage/Accessory Building (6 units) for Lease" to be located on a Parcel located on the west side of Polly Branch Road (S.C.R. 386). The Parcel is comprised of a total of 1.07 acres +/-.

Zoning: The subject property is zoned AR-1 Agricultural Residential District. All adjacent parcels in the immediate vicinity to the Parcel are zoned Agricultural Residential (AR-1) District, with parcels further west being within the Town Limits of Selbyville. Parcels further north are zoned General Residential (GR).

Future Land Use Map Designation w/in Comprehensive Plan: Town Center

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 has a land use designation of "Town Center Area." All surrounding properties to the south, east, and west of the subject site contain the Future Land Use Map designation of "Town Center Area". The area to the north across Lynch Road has the land use designation of "Municipalities" and is within the incorporated town limits of Selbyville.

As outlined in the 2018 Sussex County Comprehensive Plan, Town Center Areas are areas that the County envisions "Significant growth is proposed to be concentrated around municipalities in unincorporated areas just beyond municipal borders. Many of these locations are part of areas that municipalities have formally designated as future annexation areas in their local comprehensive



plans, where the municipality would be receptive to annexation requests in the future. (Sussex County Comprehensive Plan, 4-13).

The Plan also notes that “Institutional and commercial uses may be appropriate depending on surrounding uses. Some smaller scale, low-impact industrial operations may be appropriate” (Sussex County Comprehensive Plan, 4-13).

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):** The parcel is not within the Henlopen Transportation Improvement District.
- **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”. Staff note there are no Wellhead Protection Areas on the site. The Parcel is classified as within areas of “Fair” in terms of Groundwater Recharge Potential on the site per data from the State of Delaware.

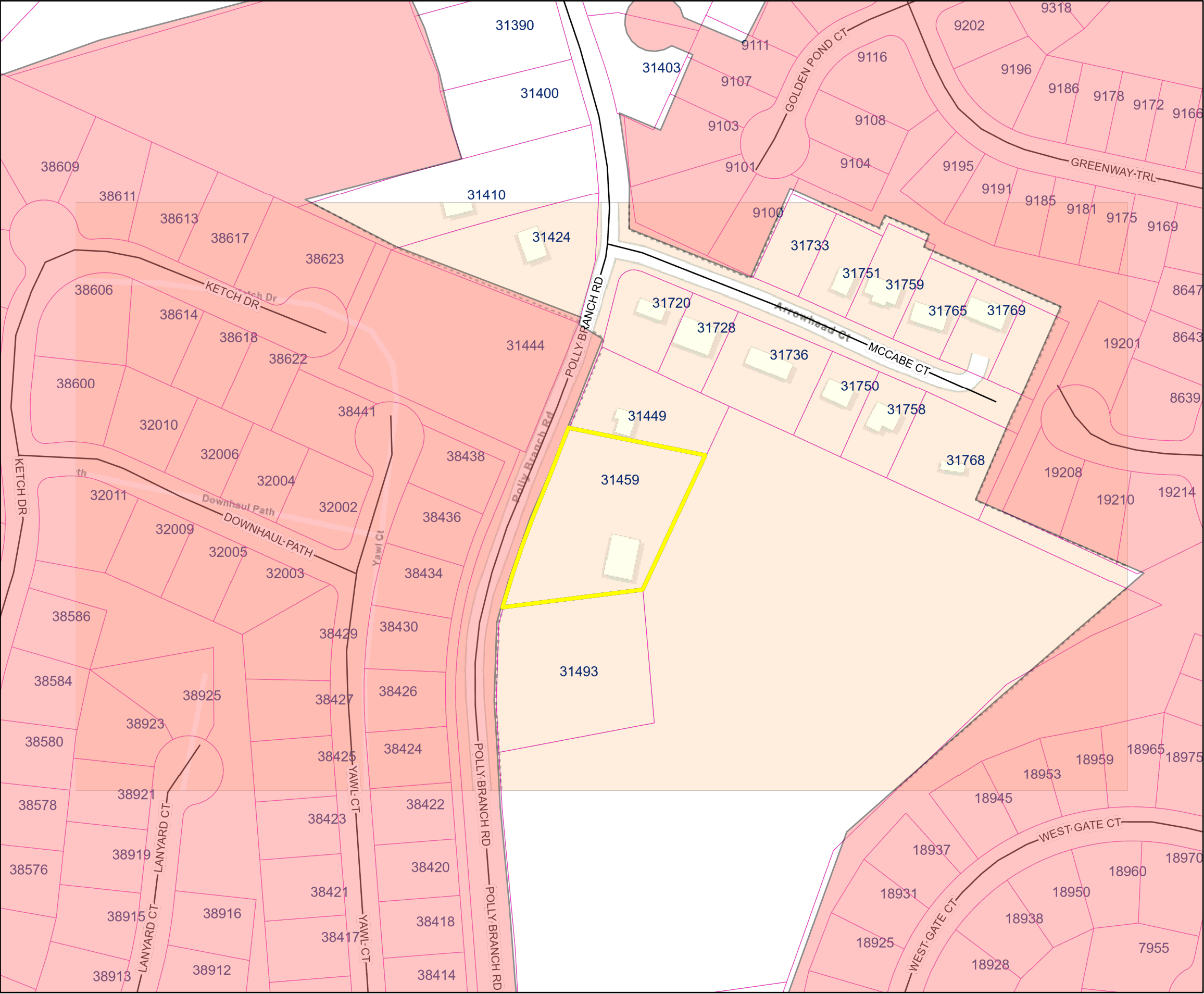
Based on the analysis provided, the Conditional Use to allow for a “Storage/Accessory Building (6 units) for Lease”, could be considered as being consistent with the surrounding land use, zoning, and uses, subject to considerations of scale and impact.

Existing Conditional Uses within the Vicinity of the Subject Site: Staff have identified a history of seven (7) Conditional Use applications within a one (1) mile radius of the application site. A Data Table has 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)						
Application CU Number	Application Name	Zoning District	Proposed Use	CC Decision Date	CC Decision	Ordinan ce Number
815	Showell Growers, Inc,	AR-1	borrow pit/future fire protection pond	4/30/1985	Approved	244
1039	William J. & Dolores E. Hudson	AR-1	Minor Automotive Repair	6/1/1993	Approved	891
1253	Robert M. Davis	AR-1	Mini Storage & Boat/RV Storage	9/1/1998	Approved	1258
1811	Lawman Properties, LLC	AR-1	office	1/12/2010	Approved	2096
2053	Red Dog Plumbing & Heating	AR-1	HVAC contracting business	9/20/2016	Approved	2464
2060	Shelby Trucking/Cons truction	AR-1	Heavy equipment storage, trucking and construction business	11/29/2016	Approved	2477
2398	Chaberton Energy (Blue Hen Solar)	AR-1	Solar Farm	2/20/2024	Approved	2986
2466	Albert Fanelli Living Trust	AR-1	Boat Repair & Storage	3/25/2025	Approved	3084
2524	Brian Rowe	AR-1	Landscaping Business	6/17/2025	Approved	4001
500	Frank J. Bland & Rachel	GR	fish & vegetable market	7/31/1979	Approved	



A3 Landscape Parcel Details

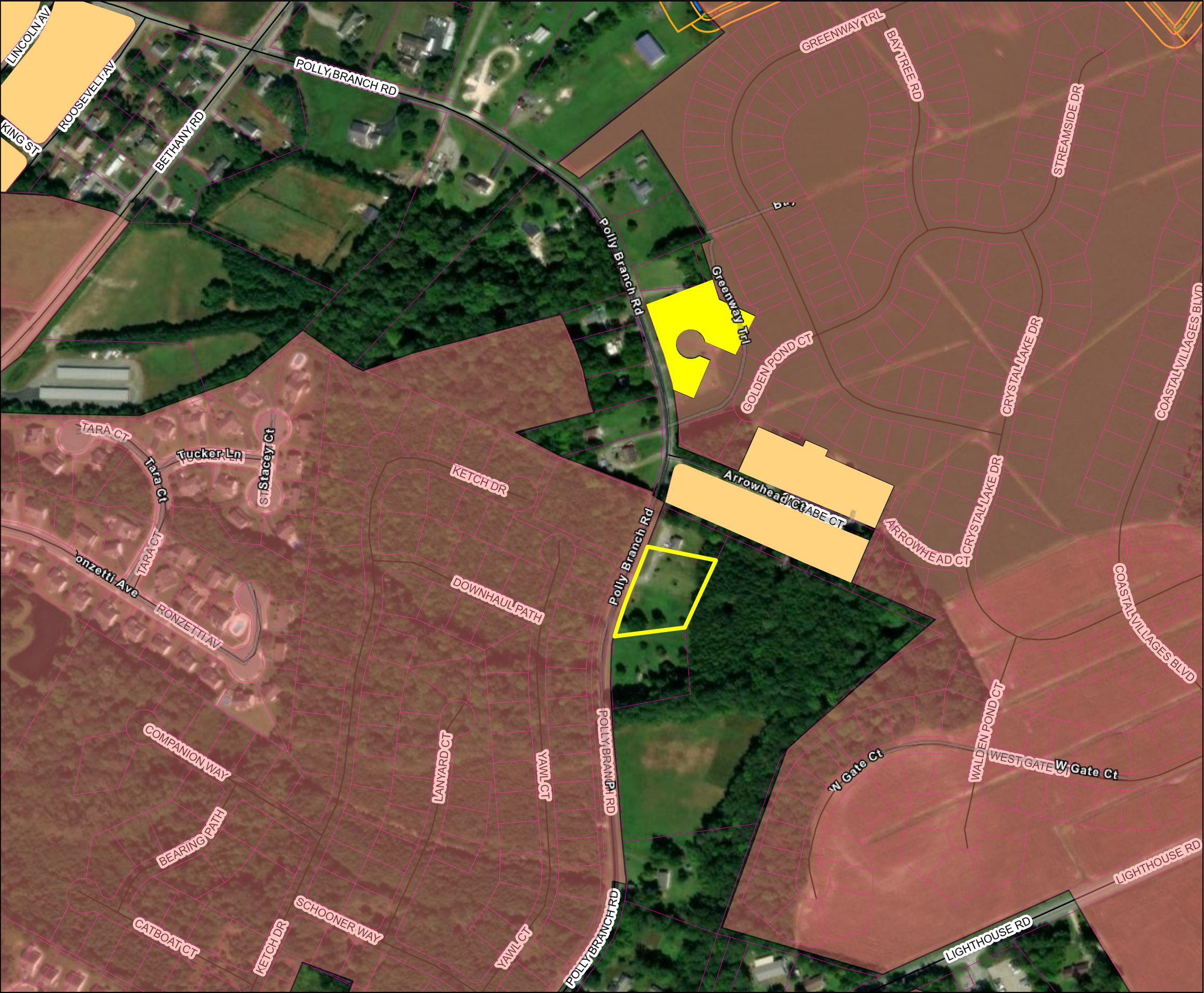


PIN:	533-17.00-93.03
Owner Name	VERMILLION SEAN M
Book	5450
Mailing Address	8412 CROWN PL
City	ALEXANDRIA
State	VA
Description	
Description 2	
Description 3	
Land Code	

- Municipal Boundaries
- Transportation Improvement District
- Tax Parcels
- 911 Address
- Streets
- County Boundaries
- Tax Ditch Segments
- Class Type
 - Tax Ditch Channel
 - DeIDOT Maintained
 - HOA Maintained
 - Pipe - DeIDOT
 - Pipe - Tax Ditch
 - Pipe - Private
 - Pond Feature
 - Special Access ROW
 - Extent of Right-of-Way



A3 Landscape Parcel Details



PIN:	533-17.00-93.03
Owner Name	VERMILLION SEAN M
Book	5450
Mailing Address	8412 CROWN PL
City	ALEXANDRIA
State	VA
Description	
Description 2	
Description 3	
Land Code	

Municipal Boundaries

Transportation Improvement District

Tax Parcels

Streets

County Boundaries

Pipe - Tax Ditch

Pipe - Private

Pond Feature

Special Access ROW

Extent of Right-of-Way

Tax Ditch Channel

DelDOT Maintained

HOA Maintained

Pipe - DelDOT

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

1.2m Resolution Metadata

1:

0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

August 28, 2025



A3 Landscape Parcel Details



PIN:	533-17.00-93.03
Owner Name	VERMILLION SEAN M
Book	5450
Mailing Address	8412 CROWN PL
City	ALEXANDRIA
State	VA
Description	
Description 2	
Description 3	
Land Code	

Municipal Boundaries

Transportation Improvement District

Tax Parcels

Streets

County Boundaries

Pipe - Tax Ditch

Pipe - Private

Pond Feature

Special Access ROW

Extent of Right-of-Way

Tax Ditch Segments

Class Type

Tax Ditch Channel

DelDOT Maintained

HOA Maintained

Pipe - DelDOT

World Imagery

Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

1.2m Resolution Metadata

1:

0 0.05 0.1 0.2 mi
0 0.07 0.15 0.3 km

August 28, 2025

To Be Introduced: 6/24/25

Council District 4: Mr. Hudson

Tax I.D. No.: 533-17.00-93.03

911 Address: 31459 Polly Branch Road, Selbyville

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO ALLOW FOR A STORAGE BUSINESS (6 UNITS) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 1.07 ACRES, MORE OR LESS

WHEREAS, on the 11th day of December 2023, a conditional use application, denominated Conditional Use No. 2500 was filed on behalf of Sean Vermillion; 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. 2500 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. 2500 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 on the east side of Polly Branch Road (S.C.R. 386), approximately 0.50-mile southeast of the intersection of Roxana Road (Rt. 17), and being more particularly described in the attached legal description prepared by Parsons & Robinson, P.A., said parcel (portion of) containing 1.07 ac., 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: November 14, 2025

RE: County Council Report for C/Z 2027 filed on behalf of 1630 Ventures, LLC

The Planning and Zoning Department received an application (C/Z 2027 filed on behalf of 1630 Ventures, LLC) for a Change in Zone from an AR-1 Agricultural Residential Zoning District to a C-3 Heavy Commercial District at Tax Parcel 235-14.00-81.00. The property is located at on the east side of the private lane, Marges Garden Path and the south side of Milton-Ellendale Highway (Rt.16), approximately 0.5 mile east of Gravel Hill Road (Rt. 30). The parcel size is 5.0 ac. +/-

The Planning & Zoning Commission held a Public Hearing on the application on October 1, 2025. At the meeting on October 15, 2025, the Planning and Zoning Commission recommended that the County Council approve the application for the 8 reasons of approval as outlined in the Commission's motion.

Below are the minutes from the Planning & Zoning Commission meeting on October 1, 2025, and October 15, 2025.

Minutes of the October 1, 2025, Planning & Zoning Commission Meeting

C/Z 2027 1630 Ventures, LLC

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS. The property is lying on the east side of the private lane, Marges Garden Path, and the south side of Milton-Ellendale Highway (Rt. 16), approximately 0.5 mile east of Gravel Hill Road (Rt. 30). 911 Address: N/A. Tax Map Parcel: 235-14.00-81.00.



Mr. Whitehouse advised the Commission that submitted into the record were the DelDOT Service Level Evaluation Response, the Applicant's property survey, the Applicant's Exhibits, which include a Traffic Analysis and Proposed Findings and Conditions, along with a topographic survey, and the PLUS comments dated April 19, 2022. Mr. Whitehouse advised the Commission that no comments were submitted on behalf of the application.

The Commission found that Mr. Michael Riemann with Becker Morgan spoke on behalf of the Applicant, 1630 Ventures, LLC; that also present was Mr. Kevin Disabatino, of 1630 Ventures, LLC, who is the owner of the property, and Ms. Mackenzie Peet, Esq. with Saul Ewing, LLP. Mr. Riemann stated that the request was for a parcel being approximately five acres, located along Rt. 16; that the site is part of a much larger parcel that 1630 Ventures, LLC owns; that part of the larger parcel is currently going through a Master Plan process, which had already been implemented as Milton Village Apartments, which was approved by Sussex County in June 2024; that a Project Book was submitted containing the PLUS Review, the Artesian Willing to Serve Sewer and Water Letter, traffic studies and Findings of Fact; that the adjacent properties on both sides of the site are within the C-1 (General Commercial) Zoning District; that Mr. Disabatino has owned the property for about 20 years; that one point the parcel was owned by the State of Delaware, and was planned to be an armory, however that proposed use was abandoned many years ago; that he believed this is why the parcel was not brought into the C-1 Commercial Corridor, because the State of Delaware had alternative uses for the property; that the site is located along Rt. 16, being within close proximity to Rt. 30 and Milton Proper; that there are a number of commercial businesses located along Rt. 16; that these businesses include Ironworks, Kemps Liquor Store, and the recently constructed Beebe medical facility which is a phase of the planned project, Milton Village; that also within the area the Food Lion shopping center; that the site is located within close proximity to the municipal jurisdiction of the Town of Milton; that the project is consistent with the ongoing theme that development within the County needs to be located closer to towns, closer to infrastructure and existing services; that Artesian has extended water and sewer directly along the property; that the C-1 (General Commercial) Zoning District is located all along the frontage on both sides of the parcel, and across the street; that the C-1 Zoning District is no longer available for rezoning, and is now a closed district; that the Applicant's request is for C-3 (Heavy Commercial) rezoning, as the Applicant felt it was the most comparable zoning to the C-1 District; that when comparing the Tables for both commercial zonings, they are not identical, but are very similar in terms of the permitted uses; that HR-2 (High Density Residential) is also located adjacent to the site; that the site is located within State Investment Level 1, being an area where the State support investment and policy, encouraging a wide range of uses and densities to promote a variety of transportation options, faster, efficient use of existing public and private investment and enhanced community identity integrity; the according to the Comprehensive Plan, the site is located within the Developing Area, which tend to be areas that are located adjacent to municipalities; that it is expected that these areas would be targeted for growth that according to the Comprehensive Plan, the C-3 (Heavy Commercial) Zoning District would be an applicable zoning district for the areas defined as Developing Areas; that the Comprehensive Plan goes on to talk about a range of housing types which are appropriate in Developing Areas, including single-family town homes and multi-family; that in selected areas near appropriate intersections, commercial uses should be allowed, and goes on to mention mixed-use development as well; that ultimately, that is what the project ends up becoming when considering the various parcels, and the mixture of zoning with commercial zoning across the frontage and the high density residential located in the back; that even the AR-1 zoning creates an opportunity to create a mixed-use development for the overall track that the Applicant is

planning; that the current rezoning request helps the Applicant complete the piece of the puzzle; that the project is located within the DelDOT Milton Transportation Improvement District (TID), which has not been finalized yet; that there was a traffic study performed for the overall development; that if this parcel was not part of the overall development, it would not have required a traffic study; that they anticipate that the site's piece of the project will consist of likely assisted living or medical offices; that the five acres site, by itself, would not generate enough traffic to warrant a traffic study; that a traffic study was performed, as they are planning for the entire tract; that the traffic study was provided within the submitted packet; that within the study, 23 intersections were studied; that there is a new DelDOT roundabout project planned for the intersections of Rt. 16 and Rt. 30; that the project is in the early stages and has not yet been scheduled; that another DelDOT roundabout is planned at the intersection of Sand Hill Road and Rt. 30; that the Applicant's project would be responsible to contributing to the nearby DelDOT projects; that the site is currently in agricultural use, but is surrounded by a mix of residential, agricultural and commercial development; that the entire site is currently agricultural; that the project is located within the future Developing Area, which should anticipate growth and development, including commercial; that the project is located in the developing Milton TID, and a Traffic Study was completed for the project; that the project is located within the State Investment Level 1, where growth is encourage and planned; that there are utilities located directly in front and accessible by the project, and that the project fronts Rt. 16, which is classified as a DelDOT Major Collector road.

Mr. Passwaters requested clarification as to the current zoning of the surrounding properties to the site.

Mr. Riemann stated that the site is currently surrounded by C-1 (General Commercial), HR-1 (High Density Residential), with a small portion of AR-1 (Agricultural Residential).

Mr. Robertson advised the Commission that the application was requesting a zoning change, which does not permit for conditions to be placed; that it is either up, or it is down, and he mentioned that staff should address with Sussex County Geographic Information Office that the State of Delaware label is still shown on the parcel itself, however the owner information was correct as it reflected 1630 Ventures, LLC.

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

Upon there being no further questions, Madam Chair Wingate closed the public hearing.

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

In relation to C/Z 2027 1630 Ventures, LLC. Motion by Mr. Passwaters to defer action for further consideration, seconded by Mr. Collins, and carried unanimously. Motion carried 4-0.

Minutes of the October 15, 2025, Planning & Zoning Commission Meeting

The Commission discussed the application, which had been deferred since October 1, 2025.

Mr. Passwaters moved that the Commission recommend approval of C/Z 2027 1630 Ventures, LLC, for a change in zone from AR-1 to C-3 “Heavy Commercial” based upon the record made during the public hearing and for the following reasons:

1. This property was previously owned by the State of Delaware. As a result, while it is still zoned as AR-1, it is completely surrounded by properties that are zoned as C-1 General Commercial and HR-2 High Density Residential. This was all part of the prior Elizabethtown project planned for this site. This rezoning will make this standalone parcel of land consistent with the surrounding zoning now that it is no longer owned by the State.
2. C-3 Heavy Commercial Zoning is designed to allow auto-oriented retail and service businesses that serve local and regional residents. Permitted Uses include retail uses, restaurants, offices, and vehicle service stations. Given the surrounding zoning and the close proximity to the Town of Milton, this is an appropriate zoning for this property.
3. This property has frontage along Route 16, which DelDOT has classified as a major collector road. This is an appropriate location for C-3 Zoning.
4. This property is located in the Developing Area according to the current Sussex County Land Use Plan. This proposed commercial zoning is appropriate in this Area according to the Plan.
5. The site is located along a bus transit route operated year-round by DART. The site is also located near a wide variety of employment opportunities, including general commercial and retail, healthcare, education, institutional, and hospitality uses. The uses permitted within the C-3 zoning at this site are compatible with this area.
6. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order, prosperity, and welfare of the County.
7. No parties appeared in opposition to this rezoning application.
8. Any future use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

Motion by Mr. Passwaters, seconded by Mr. Collins, and carried unanimously to recommend approval of C/Z 2027 1630 Ventures, LLC for the reasons stated in the motion. Motion carried 5-0.

Vote by roll call: Mr. Passwaters – yea, Mr. Allen – yea, Mr. Mears – yea, Mr. Collins – yea, Madam Chair Wingate – yea

Mr. Passwaters voted yea, for the reasons and the conditions stated in the motion.

Mr. Allen voted yea, for the reasons and the conditions stated in the motion.

Mr. Mears voted yea, for the reasons and the conditions stated in the motion.

Mr. Collins voted yea, for the reasons and the conditions stated in the motion.

Madam Chair Wingate voted yea, for the reasons and the conditions stated in the motion.

PLANNING & ZONING COMMISSION

HOLLY J. WINGATE, CHAIR
JEFF ALLEN
G. SCOTT COLLINS
J. BRUCE MEARS, VICE-CHAIR
JOHN PASSWATERS



Sussex County

DELAWARE
SUSSEXCOUNTYDE.GOV
302-855-7878

JAMIE WHITEHOUSE, AICP MRTPI
PLANNING & ZONING DIRECTOR

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: October 1, 2025

Application: C/Z 2027 – 1630 Ventures, LLC

Applicant: 1630 Ventures, LLC
1 South Cleveland Avenue
Wilmington, DE 19805

Owner: 1630 Ventures, LLC
1 South Cleveland Avenue
Wilmington, DE 19805

Site Location: Located on the east side of the private lane, Marges Garden Path and the south side of Milton-Ellendale Highway (Rt. 16); approximately 0.5 mile east of Gravel Hill Road (Rt. 30).

Current Zoning: Agricultural Residential (AR-1) Zoning District.

Proposed Zoning: Heavy Commercial (C-3) Zoning District

Comprehensive Land
Use Plan Reference: Developing Area

Councilmanic
District: District 2 – Mr. McCarron

School District: Cape Henlopen School District

Fire District: Milton Fire Department

Sewer: Artesian

Water: Artesian

Site Area: 5.0 acres +/-

Tax Map ID: 235-14.00-81.00





Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Ann Lepore, Planner I
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: September 24, 2025
RE: Staff Analysis for C/Z 2027 1630 Ventures, 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 C/Z 2027 1630 Ventures, LLC to be reviewed during the October 1, 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: 235-14.00-81.00

Proposal: The request is for a Change of Zone for Tax Parcel 235-14.00-81.00 to allow for a change of zone from an Agricultural Residential (AR-1) District to a Heavy Commercial (C-3) District. The property is lying on the south side of Milton Ellendale Highway (Rt. 16) approximately 0.55 mile east of Gravel Hill Road (Rt. 30) in Milton. The Parcels contain 5.0 acres +/-.

Zoning: The Parcel is zoned Agricultural Residential (AR-1) District. The adjacent parcels to the north, east, and west are zoned General Commercial (C-1) District and the parcel to the south is zoned High Density Residential (HR-1) District.

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

Comprehensive Plan Analysis: 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 parcel has a Growth Area designation of "Developing Area." The adjoining parcels to north, south, east, and west are also within the "Developing Area".

As outlined in the 2018 Sussex County Comprehensive Plan, the "Developing Area" are areas where a range of housing types are appropriate in Developing Areas, including single family homes, townhouses, and multi-family units. 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. Appropriate mixed-use development should also be allowed. In doing so, careful



mixtures of homes with light commercial and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. (2018 Sussex County Comprehensive Plan, 4-14).

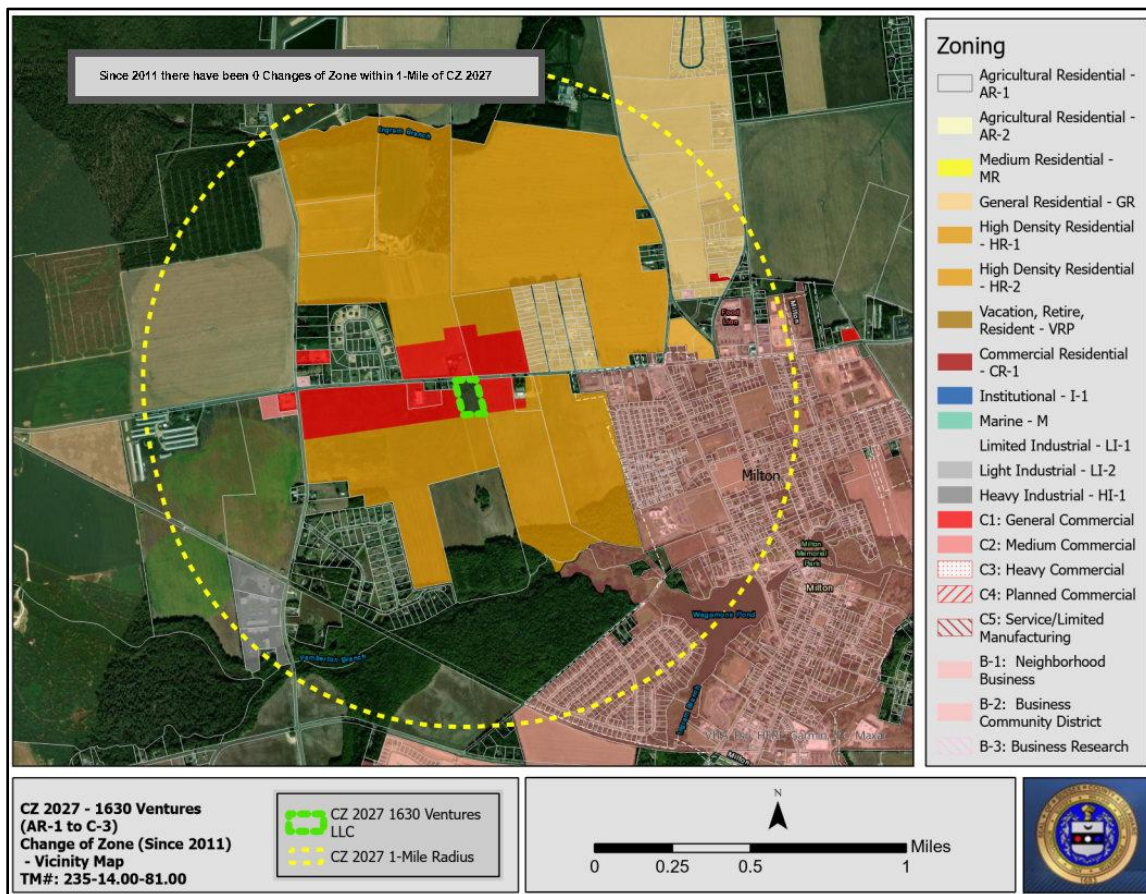
Further Site Considerations:

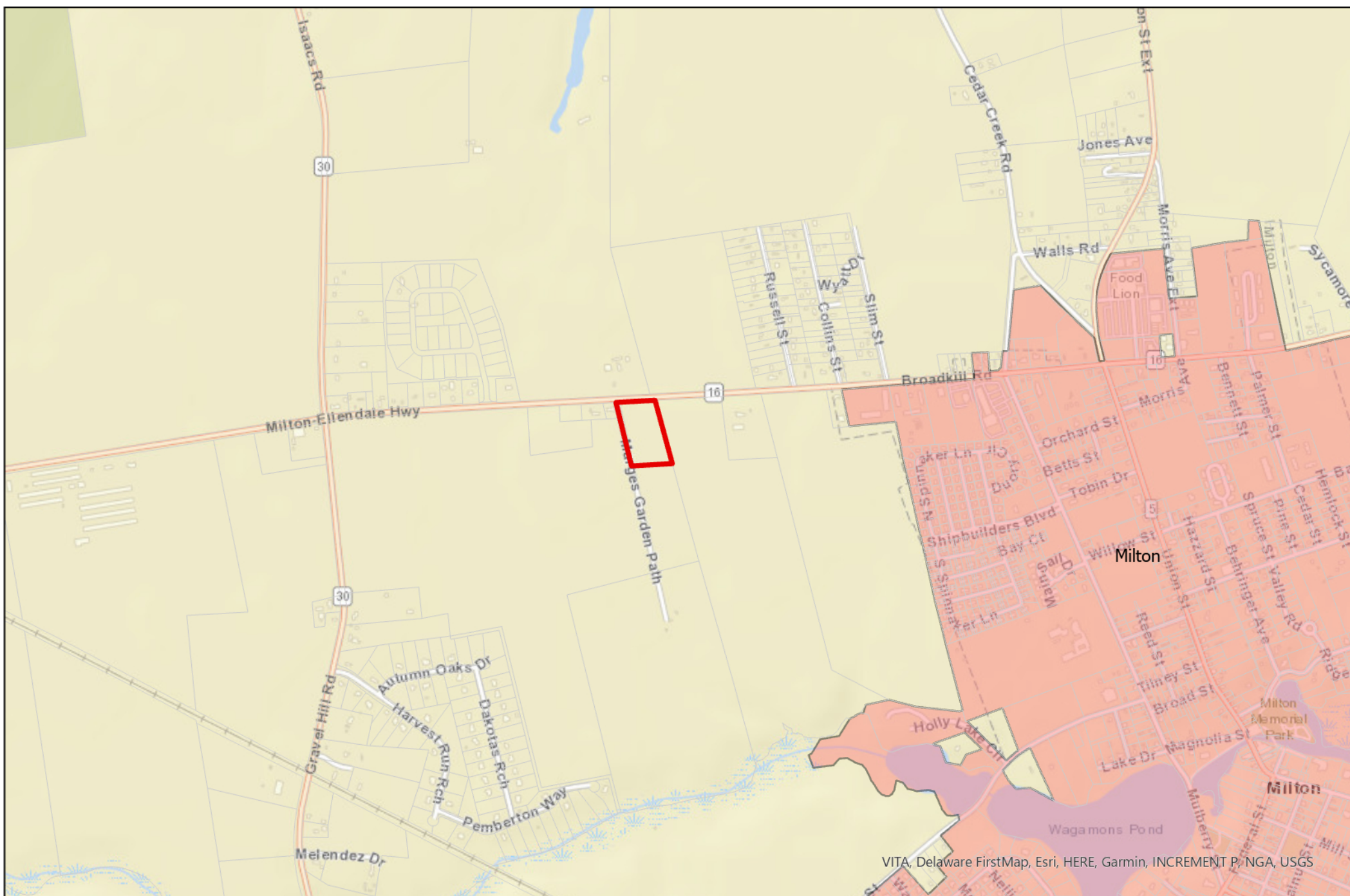
- **Density:** N/A
- **Open Space Provisions:** N/A
- **Agricultural Areas:** N/A
- **Interconnectivity:** N/A
- **Transportation Improvement District (TID):** The parcel is not within the Henlopen Transportation Improvement District.
- **Forested Areas:** N/A
- **Wetlands Buffers/Waterways:** N/A
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** N/A

Existing Changes of Zone within the Vicinity of the Subject Site:

Staff notes that since 2011, there has been zero (0) Change of Zone Application within a 1.0-mile radius of the Application Site.

Based on the analysis of the land use, surrounding zoning and uses, a Change of Zone from Agricultural Residential (AR-1) District to Heavy Commercial (C-3) District could be considered as being consistent with the land use, based on size and scale, with area zoning and surrounding uses.





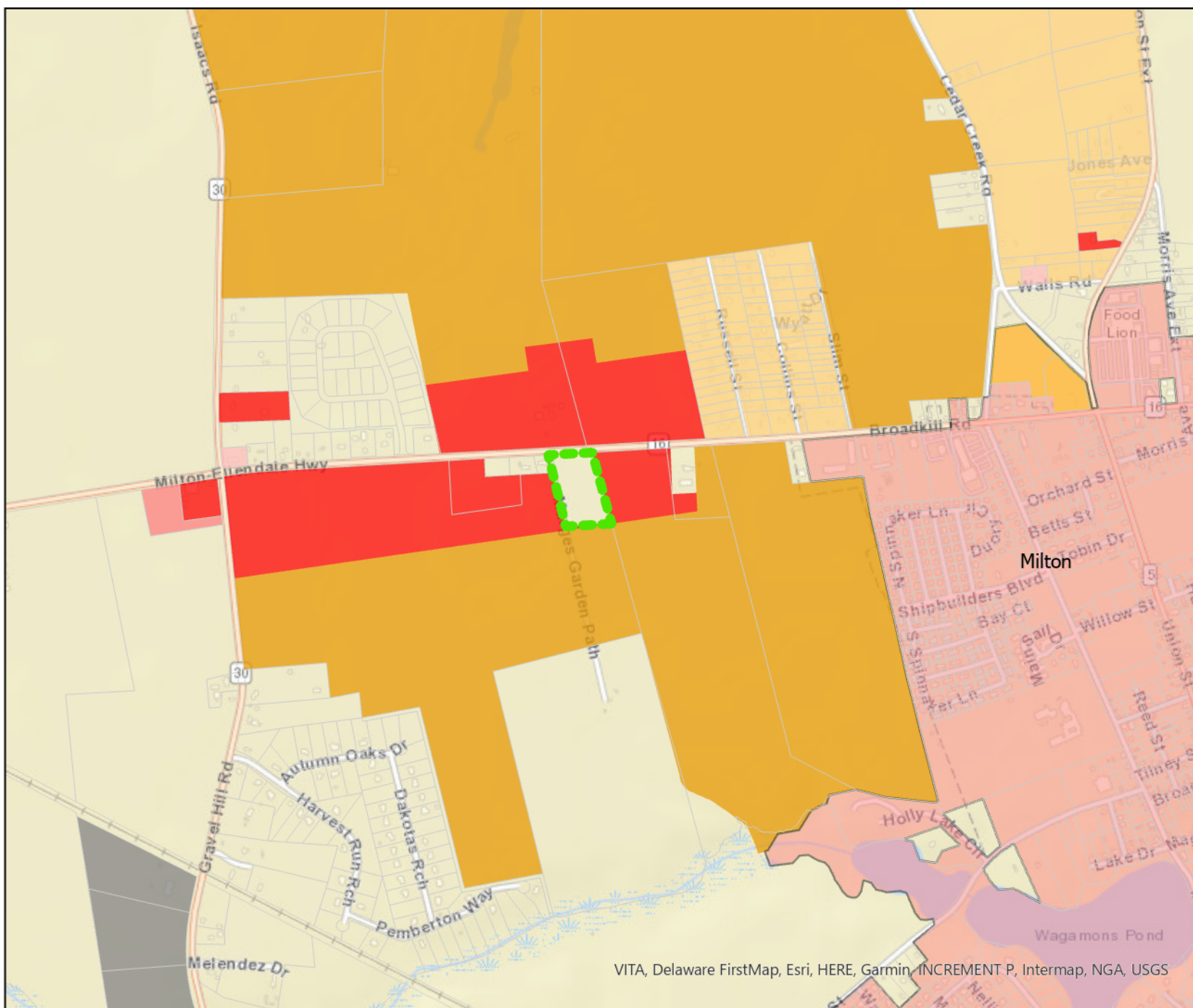
CZ 2027 - 1630 Ventures (AR-1 to C-3)
Street Map
TM#: 235-14.00-81.00

 CZ 2027 1630 Ventures LLC

N

0 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

VITA, Delaware FirstMap, Esri, HERE, Garmin, INCREMENT P, Intermap, NGA, USGS

CZ 2027 - 1630 Ventures
(AR-1 to C-3)
Zoning Map
TM#: 235-14.00-81.00



CZ 2027 1630 Ventures
LLC

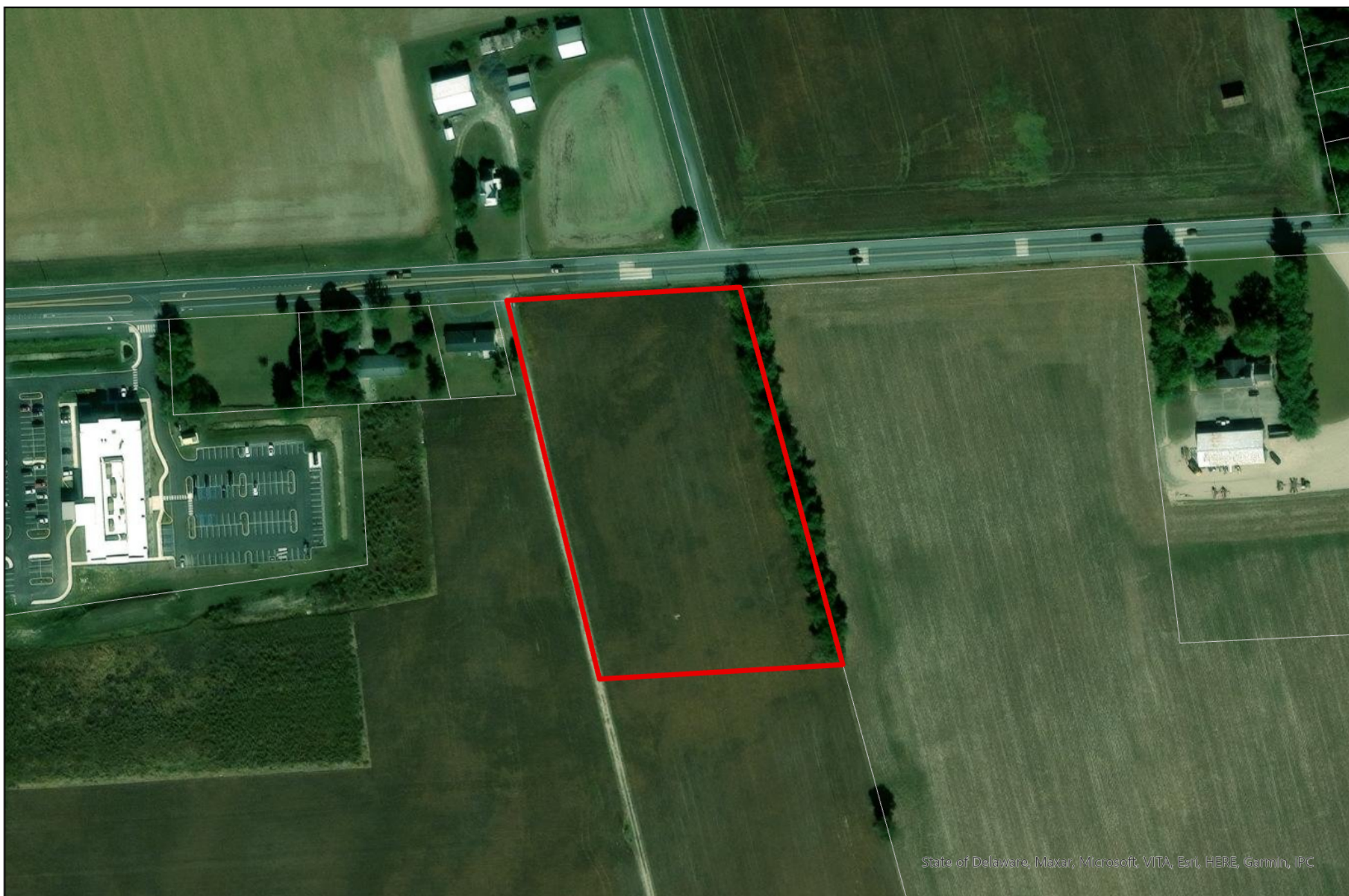


Municipal Boundaries



0 0.13 0.25 0.5 Miles





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

CZ 2027 - 1630 Ventures (AR-1 to C-3)
Aerial Map
TM#: 235-14.00-81.00



CZ 2027 1630 Ventures
LLC



0 125 250 500 Feet



Introduced: 9/9/25

Council District 2: Mr. McCarron

Tax I.D. No.: 235-14.00-81.00

911 Address: N/A

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-3 HEAVY COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS

WHEREAS, on the 24th day of January 2024, a zoning application, denominated Change of Zone No. 2027, was filed on behalf of 1630 Ventures, 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 Change of Zone No. 2027 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 has determined, based on the findings of facts, that said change of zone 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,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential District] and adding in lieu thereof the designation C-3 Heavy Commercial District 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 on the east side of the private lane, Marges Garden Path and the south side of Milton-Ellendale Highway (Rt. 16); approximately 0.5 mile east of Gravel Hill Road (Rt. 30) and being more particularly described in the attached legal description prepared by Tunnell & Raysor, P.A., said parcels containing 5.0 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.