

Sussex County Council Public/Media Packet

MEETING: September 19, 2017

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Sussex County Council 2 The Circle | PO Box 589 Georgetown, DE 19947 (302) 855-7743 MICHAEL H. VINCENT, PRESIDENT GEORGE B. COLE, VICE PRESIDENT ROBERT B. ARLETT IRWIN G. BURTON III SAMUEL R. WILSON JR.



2 THE CIRCLE | PO BOX 589 GEORGETOWN, DE 19947 (302) 855-7743 T (302) 855-7749 F sussexcountyde.gov ROBIN GRIFFITH CLERK

Sussex County Council

AGENDA

SEPTEMBER 19, 2017

<u>10:00 A.M.</u>

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Consent Agenda

- Wastewater Agreement No. 476-2 Sussex County Project No. 81-04 Windmill Woods – Phase 2 Millville Expansion of the Bethany Beach Sanitary Sewer District
- 2. Wastewater Agreement No. 476-3 Sussex County Project No. 81-04 Windmill Woods – Phase 1 Millville Expansion of the Bethany Beach Sanitary Sewer District
- 3. Wastewater Agreement No. 985 Sussex County Project No. 81-04 Coastal Station (AKA Corrado) West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
- 4. Wastewater Agreement No. 259-2 Sussex County Project No. 81-04 The Reserves – Clubhouse Ocean View Expansion of the Bethany Beach Sanitary Sewer District



- 5. Wastewater Agreement No. 984-14 Sussex County Project No. 81-04 Coastal Club – Land Bay 2A Goslee Creek Planning Area
- 6. Wastewater Agreement No. 1047 Sussex County Project No. 81-04 The Grove Fenwick Island Sanitary Sewer District
- 7. Wastewater Agreement No. 945-1 Sussex County Project No. 81-04 Plantation Park Marina Miller Creek Sanitary Sewer District

Todd Lawson, County Administrator

- 1. Recognition of Retiring Board of Adjustment Member Norman "Bud" Rickard
- 2. Board of Adjustment Candidate District 4
- **3.** Proclamation Constitution Week
- 4. Proposed Resolution Relating to Oliver's Point in Summertime Park
- 5. Delaware Department of Transportation 2019-2024 Capital Transportation Program Request
- 6. Administrator's Report

Gina Jennings, Finance Director

1. Discussion and Possible Introduction of a Proposed Ordinance entitled "AN ORDINANCE TO AMEND CHAPTER 110, SECTION 110-88 OF THE CODE OF SUSSEX COUNTY TO ADD "EQUIVALENT DWELLING UNITS" AS A METHOD OF CALCULATING SEWER OR WATER ASSESSMENTS"

Ed Engdahl, EMS Education Coordinator

1. Rescue One, Inc. – Memorandum of Understanding

Dan Parsons, Historic Preservation Planner

1. Woodland School Restoration Update & Lease Agreement

John Ashman, Director of Utility Planning

1. Ellendale Water District – Adoption of Final Boundary

Hans Medlarz, County Engineer

- 1. General Labor & Equipment Contract
 - A. Change Order No. 7
- 2. Route 54 Expansion of the Fenwick Island Sanitary Sewer District, Project 14-10
 - A. Professional Services Amendment with Hazen & Sawyer, Exhibit A-3
- 3. Delivery of Seed and Chemical, Project 18-06
 - A. Recommendation to Award

Patti Deptula, Director of Special Projects

- 1. Delaware Center for the Inland Bays Lease Extension
- 2. Delaware Center for the Inland Bays Funding Application Resolution
- 3. Mount Joy Oak Street Streetlighting District

Janelle Cornwell, Director of Planning and Zoning

- 1. Time Extension Request Change of Zone No. 1747, Oceanside Vista (fka The Preserve at Cedar Landing)
- 2. Discussion and Possible Introduction of a Proposed Ordinance entitled "AN ORDINANCE ADOPTING THE 2018 COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING ORDINANCE NO. 1980, THE 2007 UPDATE OF THE COMPREHENSIVE PLAN, ADOPTED JUNE 24, 2008"
- 3. Updated Henlopen TID Scope of Work

Old Business

- 1. Conditional Use No. 2089 filed on behalf of Massey's Landing Properties, LLC
- 2. Conditional Use No. 2095 filed on behalf of Sposato Investments, LLC

Grant Requests

- 1. Laurel Fire Department for trailer to transport utility vehicle
- 2. Laurel American Legion Post 19 for Veterans Day Parade expenses
- 3. Clothing Our Kids to purchase clothing

- 4. Village Improvement Association for an intern to do archiving work
- 5. Nanticoke River Arts Council for operating costs
- 6. Georgetown Fire Company for trailer to transport utility vehicle
- 7. Delmar Public Library for capital fundraiser

Introduction of Proposed Zoning Ordinances

Council Members' Comments

<u>Executive Session – Land Acquisition and Pending Litigation pursuant to 29 Del. C.</u> §10004(b)

Possible Action on Executive Session Items

<u>1:30 p.m.</u> Public Hearings

Conditional Use No. 2091 filed on behalf of William Hall

"AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CONTRACTING OFFICE WITH STORAGE OF VEHICLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.13 ACRES, MORE OR LESS" (located at the southeast corner of Hudson Lane and Raccoon Ditch Road) (Tax I.D. No. 231-11.00-17.00) (911 Address: 17865 Hudson Lane, Georgetown)

<u>Change of Zone No. 1825 filed on behalf of Clarksville Auto Service Center, Inc.</u> "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.4789 ACRE, MORE OR LESS" (located on the north side of Atlantic Avenue, approximately 125 feet east of Powell Farm Road) (Tax I.D. No. 134-11.00-154.00) (911 Address: 34455 Atlantic Avenue, Ocean View)

<u>Adjourn</u>

Sussex County Council meetings can be monitored on the internet at <u>www.sussexcountyde.gov</u>.

In accordance with 29 <u>Del. C.</u> §10004(e)(2), this Agenda was posted on September 12, 2017, at 4:30 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 listed may be considered out of sequence.

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 29, 2017

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, August 29, 2017, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

	Michael H. Vincent	President	
	George B. Cole	Vice President	
	Robert B. Arlett	Councilman	
	Irwin G. Burton III	Councilman	
	Samuel R. Wilson Jr.	Councilman	
	Todd F. Lawson	County Administrator	
	Gina A. Jennings	Finance Director	
	J. Everett Moore Jr.	County Attorney	
	The Invocation and Pledge o	f Allegiance were led by Mr. Vincent.	
Call to Order	Mr. Vincent called the meeti	ng to order.	
M 417 17 Approve Agenda	A Motion was made by Mr. agenda, as posted.	Arlett, seconded by Mr. Wilson, to approve the	
Igenua	Motion Adopted: 4 Yeas	, 1 Absent.	
	. Mr. W	rlett, Yea; Mr. Burton, Yea; ïlson, Yea; Mr. Cole, Absent; incent, Yea	
Minutes	The minutes of August 22, 2	017 were approved by consent.	
	Mr. Cole joined the meeting		
Public Comments	Public Comments		
	Paul Reiger commented on receiving his tax bill and the increase in his taxes. He referenced assessments and noted that a number of people do not get permits and thereby avoid higher assessments. Mr. Reiger stated that enforcement needs to be improved.		
	Dan Kramer commented on poultry houses and the new regulations that the Council is considering.		

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

trator's Report

1. Norman "Bud" Rickard

Norman "Bud" Rickard, member of the Sussex County Board of Adjustment, has announced his retirement. Mr. Rickard's last Board meeting will be September 18, 2017. Mr. Rickard began his employment with Sussex County in the Planning and Zoning office where he worked as an Inspector from 1989 to 2002 and as Operations Coordinator from 2007 to 2009. Mr. Rickard has served on the Board of Adjustment since January 1, 2012. We wish him all the best in the future and thank him for his willingness to serve Sussex County.

2. <u>Council Meeting/Holiday Schedule</u>

A reminder that Council will not meet on September 5th or September 12th. The next regularly scheduled Council meeting will be held on September 19th at 10:00 a.m.

County offices will be closed Monday, September 4th, for the Labor Day holiday.

3. Margaret H. Pepper

Margaret "Peggy" Pepper, Clerk III Technician, Recorder of Deeds office, will retire on Friday, September 1st. Ms. Pepper began her employment with Sussex County on September 1, 1987, and is retiring with 30 years of service. We wish her good health and happiness in the future.

The Council recognized Margaret "Peggy" Pepper for her service to Sussex County.

Third Quarter Employee Recognition Awards Mrs. Jennings reported that the County recognizes employees for exceptional service and that a total of thirty-seven (37) employees received recognition for the Third Quarter of 2017. Mrs. Jennings announced that three employees received recognition for the Third Quarter of 2017. Joanne Williams in the Office of the Register of Wills was selected to receive the Third Quarter Customer Service Award, and two employees received Honorable Mention: Alison Jernigan in Security and Shawn Lewis in Utility Engineering.

DelawareMrs. Jennings reported that DART, a division of DelDOT, has allocatedTransit\$796,850.00 for funding of transportation expenses for various seniorReimburse-centers in Sussex County. This amount decreased \$12.00 from last year.mentThe County's responsibility is to approve a recommended funding amountProgramfor Fiscal Year 2018 as per State law; this is an allocation of State grantRequestfunds to various senior agencies for transportation purposes. The

Delaware Transit (continued)	recommended funding for each agency is the same as in previous years minus the allocation of the \$12.00:		
(continueu)	Nanticoke Senior Center\$ 44,958.62Indian River Senior Center2,099.97Laurel Senior Center99,081.45Lewes Senior Center27,120.00Cape Henlopen Senior Center43,065.00CHEER, Inc.580,524.96TOTAL\$796,850.00		
M 418 17 Allocate State Funds to	A Motion was made by Mr. Cole, seconded Mr. Arlett, that the Sussex County Council approves the allocation of State funds to various senior agencies within Sussex County, as presented.		
Senior	Motion Adopted: 5 Yeas.		
Agencies	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea		
Quarterly Pension and OPEB Update	Mrs. Jennings, and Michael Shone of Marquette Associates, presented an update on the pension performance and a request to change the Pension Investment Policy Statement to reallocate funds to the Pension and Other Post Employee Benefit (OPEB) Funds, including the international target allocation in the Pension Fund from 12 to 14 percent, which mirrors the allocation in the OPEB Fund. Also presented was information on Dupont Capital Investment's (Dupont) performance and a recommendation to move the money out of Dupont into an index fund and to reallocate those funds. Mrs. Jennings reviewed the proposed allocations to the Pension Fund and OPEB Fund.		
M 419 17 Amend Pension Fund Investment	A Motion was made by Mr. Arlett, seconded by Mr. Cole, based on the recommendation of the Pension Committee and Marquette Associates, to amend the Pension Fund Investment Policy by increasing international equities by 2 percent and decreasing domestic equities target by 2 percent.		
Policy	Motion Adopted: 5 Yeas.		
	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea		
M 420 17 Terminate Agreement/ Dupont Capital	A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based on the recommendation of the Pension Committee and Marquette Associates, after contributing the additional \$5,000,000 to the Pension Fund, to allocate the portfolio, as presented, which will terminate the County's Investment Agreement with Dupont Capital Investment.		

M 420 17 (continued)	Motion Adopted:	5 Yeas.
`	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea;
		Mr. Vincent, Yea
M 421 17 Allocate	A Motion was made by Mr. Arlett, seconded by Mr. Wils recommendation of the Pension Committee and Marquette	

M 421 17A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based on the
recommendation of the Pension Committee and Marquette Associates, after
contributing an additional \$5,000,000 to the OPEB Fund, to allocate the
portfolio, as presented.

Motion Adopted:	5 Yeas.
Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea;
	Mr. Vincent, Yea

Update onMike Costello, Government Affairs Manager, and Alan Shields, Constable,
propertyTrash andpresented an update on the clean-up project that was conducted on the
property located on Kennel Road in Frankford. This parcel was the subject
of a complaint related to a large amount of trash and waste that had been
illegally dumped on the property and an investigation was conducted by
DNREC. Mr. Costello reported that the clean-up of the property was
completed as a result of a partnership between the County and the property
agent and that following an inspection in August, it was determined that the
property is in compliance.

Lewes BPW Hans Medlarz, County Engineer, referenced a September 20, 2016 Agreement with the Lewes Board of Public Works (BPW) for the Assistance wastewater treatment and disposal of up to 75,000 gallons per day into the Request BPW's system and presented an assistance request (under the FY18 General Labor & Equipment Contract) from the BPW for intersection work at Savannah Road and Gills Neck Road with full reimbursement to the County by the BPW. The BPW requests that County Council agree to utilize George, Miles & Buhr, the Board's Engineer of Record, for the design of the improvements on a reimbursement basis. In addition, the Engineering Department proposed implementation of the improvements via the General Labor & Equipment Contract. County Council concurred in both requests and moved to reimburse the Board of Public Works for incurred engineering expenses, and to implement construction under the General Labor & Equipment Contract, with prior approval of a change order by the Council.

FY18Mr. Medlarz presented Change Order No. 6 to the FY 18 General Labor &
Equipment Contract, which is associated with the assistance request
submitted by the Board of Public Works (BPW) for intersection work at
Savannah Road and Gills Neck Road. Change Order No. 6, in the amount
of \$1,669,669.00 is required to cover the construction of all phases of the
interconnection, including the estimated reimbursement amount by the

FY18 General Labor & Equipment Contract (continued)	BPW in the amount of \$804,846.00 (Phase 1C and 1B(2) as part of the County's Gills Neck Road project). Mr. Medlarz reported that the Engineering Department recommends acceptance of the BPW's request to conduct the Phase 1C and 1B(2) work as part of the County's Gills Neck Road project, as well as approve scope modification Change Order No. 6 to the General Labor & Equipment Contract, contingent upon approval of a construction agreement by both parties.		
M 422 17 Approve Lewes BPW Assistance Request	A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Engineering Department, that Council approves the Lewes Board of Public Works' assistance request, contingent upon execution of an associated Construction Agreement.		
1	Motion Adopted: 5 Yeas.		
	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea		
M 423 17 Approve Change Order/ General	A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Sussex County Engineering Department, that Change Order No. 6 for Contract #17-01, FY18 General Labor and Equipment Contract, be approved in the amount of \$1,669,669.00.	t	
Labor and	Motion Adopted: 5 Yeas.		
Equipment Contract #17-01	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea		
Western Sussex County Property Mainte- nance RFP	Hans Medlarz, County Engineer, reported that a Request for Proposals was advertised for a one year site maintenance agreement, with the option to renew annually, for up to five (5) years for the three (3) Sussex County Government properties known as Woodland Park Site, Woodland Dredge Site and the Consalo Site. Proposals from three bidders were received; the lowest responsive and responsible bidder was William F. Betts II, with a base bid of \$3,650.00 for the first year, and \$9,700.00 for each remaining year of the contract.	D Y e e a	
M 424 17 Award Bid/ Western Sussex County Property Site	A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Engineering Department, that the base bid for the 2017 Western Sussex County Property Site Maintenance, be awarded to William Betts in the amount of \$3,650.00 for the first year and \$9,700.00 for each sequential year, for an up to five year contract at the discretion of the Engineering Department based on performance.	e D r	
Mainte- nance	Motion Adopted: 5 Yeas.		

M 424 17	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea;
(continued)	-	Mr. Wilson, Yea; Mr. Cole, Yea;
		Mr. Vincent, Yea

CombineHans Medlarz, County Engineer, presented the bid results for theProject/Combine-275 HP Project No. 18-04. Three bids were received and one bidBidwas deemed non-responsive. The Engineering Department recommendsResultsaward of the project to Hoober, Inc. for Bid Alternate 3 and Additive BidsD1 and D2, in the total amount of \$184,800.00.

M 425 17A Motion was made by Mr. Arlett, seconded by Mr. Burton, based upon the
recommendation of the Engineering Department, that the base bid for
Contract 18-04, Combine – 275 HP, be awarded to Hoober, Inc. of Seaford,
Delaware, for Alternate 3 and Additive Bid Items D1 and D2, for a total
amount of \$184,800.00.

Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea

Dual WheelHans Medlarz, County Engineer, presented the bid results for the DualTractorWheel Tractor with Loader-140 HP Project No. 18-5 to replace a dual-Project/wheel tractor that is not operational. Four bids were received of which allBidwere non-compliant. The Engineering Department recommends rejectingResultsall bids because all bidders had incomplete submittals and recommends andto re-advertise the project. Mr. Medlarz stated that, in addition, theDepartment is seeking authorization to dispose of the non-operational farmtractor.

M 426 17A Motion was made by Mr. Arlett, seconded by Mr. Cole, based upon the
recommendation of the Engineering Department, that all incomplete bids
for Contract 18-05, Dual Wheel Tractor with Loader – 140 HP, be rejected,
and that the contract be re-bid.

Project Motion Adopted: 5 Yeas.

Tractor

Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea;
	Mr. Wilson, Yea; Mr. Cole, Yea;
	Mr. Vincent, Yea

NorthHans Medlarz, County Engineer, presented Amendment No. 11 to theCoastalNorth Coastal Planning Area Base Contract for the Wolfe Neck RegionalPlanningWastewater Facility and the Piney Neck Regional Wastewater Facility forArea Basepermitting of effluent spray irrigation expansions. He noted that the baseContractcontract for engineering services for the North Coastal Planning area wasAmend-previously awarded to Whitman Requardt & Associates (WR&A). Mr.mentMedlarz reported that the Engineering Department requested WR&A to

North Coastal Planning Area (continued)	provide a scope of services to update the hydrogeologic studies at Piney Neck and Wolfe Neck as well as address the permitting aspects of the planned Wolfe Neck conversion to a natural setting with fixed head irrigation. Mr. Medlarz presented a Contract Amendment covering this scope of work.	
M 427 17 Approve Amendment No. 11/ North Coastal Planning	A Motion was made by Mr. Arlett, seconded by Mr. Cole, based upon recommendation of the Engineering Department, that Amendment No. to the Base Engineering Contract for the North Coastal Planning Area w Whitman, Requardt and Associates be approved in the amount not exceed \$280,463.00 for permitting effluent spray irrigation modifications the Wolfe Neck Regional Wastewater Facility and Effluent Spray Irrigat Expansions at the Piney Neck Wastewater Facility.	
Area	Motion Adopted: 5 Yeas.	
	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea	
Request to Prepare and Post Project Notices	Hans Medlarz, County Engineer, and John Ashman, Director of Utility Planning, presented requests to prepare and post notices for the following four projects in the Sussex County Unified Sanitary Sewer District Conley's Chapel Village Expansion, Joy Beach Expansion, Tuck's Road Expansion and Mallard Creek Expansion.	g :
M 428 17 Post Notices/ Conley's Chapel	A Motion was made by Mr. Arlett, seconded by Mr. Cole, that the Engineering Department is authorized to prepare and post notices for the Conley's Chapel Village Expansion of the Sussex County Unified Sanitary Sewer District to include all parcels in the subdivision and Parcel No. 234-6.00-22.00, as presented.	
Village Expansion	Motion Adopted: 5 Yeas.	
	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea	
M 429 17 Post Notices/ Joy Beach Expansion	A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that Engineering Department is authorized to prepare and post notices for Joy Beach Expansion of the Sussex County Unified Sanitary Sewer Distr to include parcels primarily along Waterview Road and Bookhamr Landing Road from Camp Arrowhead Road to Joy Beach, as presented.	
	Motion Adopted: 5 Yeas.	
	Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea;	

Mr. Vincent, Yea

M 430 17A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that the
Engineering Department is authorized to prepare and post notices for the
Notices/Notices/Tucks Road Expansion of the Sussex County Unified Sanitary Sewer
District (Long Neck Area) to include all parcels fronting on Tucks Road
and Abby Way, as well as parcels along Route 24 in the Long Neck Area, as
presented.

	Motion Adopted:	5 Yeas.
	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea
M 431 17 Post Notices/ Mallard Creek Expansion	A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that Engineering Department is authorized to prepare and post notices for Mallard Creek Expansion of the Sussex County Unified Sanitary Se District to include all parcels in the subdivision of Mallard Creek in Holts Landing Area, as presented.	
F	Motion Adopted:	5 Yeas.
	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea
Grant		
Request	Mrs. Jennings presen	ited a grant request for Council's consideration.
M 432 17 MOTION DIED	A Motion was made by Mr. Cole to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to the Delaware Community Foundation for the Melody Joy Foundation fundraiser.	
DIED	The Motion died for the lack of a Second.	
M 433 17 Council- manic Grant	A Motion was made by Mr. Arlett, seconded by Mr. Burton, to giv \$1,000.00 (\$200.00 from each Councilmanic Grant Account) to th Delaware Community Foundation for the Melody Joy Foundation fundraiser.	
	Motion Adopted:	5 Yeas.
	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea
Introduction	Mr. Burton intro	duced the Proposed Ordinance entitled "AN

Introduction Mr. Burton introduced the Proposed Ordinance entitled "AN of Proposed ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND Introduction
of ProposedREHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 6.98
ACRES, MORE OR LESS" (Change of Zone No. 1834) filed on behalf of
Colonial East, L.P. (Tax I.D. No. 334-5.00-165.00 (portion of) and 334-5.00-
166.00 (portion of) (911 Address: 30769 Lewes-Georgetown Highway,
Lewes).

Mr. Vincent introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.181 ACRES, MORE OR LESS" (Change of Zone No. 1843) filed on behalf of Shailesh Patel (Tax I.D. No. 132-2.00-325.01 (portion of)) (911 Address: 11342 Circle Drive, Seaford).

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A GR-RPC GENERAL RESIDENTIAL DISTRICT -RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 21.26 ACRES, MORE OR LESS" (Change of Zone No. 1844) filed on behalf of Broadkill Development, LLC, aka Westridge Shores (Tax I.D. No. 234-17.00-165.00) (911 Address: None Available).

Council <u>Council Members' Comments</u>

Members' Comments

Mr. Arlett referenced public comments on this date relating to building permits and fees, the monitoring of building permits, recouping fees, and penalties.

Mr. Arlett commented on the formula for Delaware's funding of transportation expenses for senior centers in Sussex County.

Mr. Arlett commented on monies spent on the clean-up project that was conducted on the property located on Kennel Road in Frankford.

Mr. Arlett commented on wastewater treatment expansions and communicating those expansions to the Planning and Zoning Commission and to DelDOT.

Mr. Cole commented on emails received relating to the Fairway Village development.

M 434 17At 11:46 a.m., a Motion was made by Mr. Arlett, seconded by Mr. Cole, toGo Into E/Srecess the Regular Session and to go into Executive Session.

M 434 17 (continued)	Motion Adopted:	5 Yeas.	
(continueu)	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea	
Executive Session	At 11:49 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to pending litigation. The Executive Session concluded at 12:20 p.m.		
M 435 17 Reconvene Regular	At 12:22 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Burton, to come out of Executive Session and to reconvene the Regular Session.		
Session	Motion Adopted:	3 Yeas, 2 Absent.	
	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Absent; Mr. Cole, Absent; Mr. Vincent, Yea	
E/S Action	There was no action on Executive Session matters.		
M 436 17 Recess	A Motion was made by Mr. Arlett, seconded by Mr. Burton, to recess until 1:30 p.m.		
	Motion Adopted:	3 Yeas, 2 Absent.	
	Vote by Roll Call:	Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Absent; Mr. Cole, Absent; Mr. Vincent, Yea	
M 437 17 Reconvene	At 1:34 p.m., a Motion was made by Mr. Cole, seconded by Mr. Burton, to reconvene.		
	Motion Adopted:	3 Yeas, 2 Absent.	
	Vote by Roll Call:	Mr. Arlett, Absent; Mr. Burton, Yea; Mr. Wilson, Absent; Mr. Cole, Yea; Mr. Vincent, Yea	
Rules	Mr. Moore reviewed	the Rules of Procedure for public hearings.	
	Mr. Wilson and Mr. Arlett joined the meeting.		
Public Hearing/ CU 2089	A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO ORDINANCE NO. 2378 FOR CONDITIONAL USE NO. 1963 FOR A CAMPGROUND TO AMEND CONDITION OF		

PublicAPPROVAL NO. 9 RELATING TO PARKING OF "PARK MODELHearing/RV'S" AND CAMPGROUND FOOD TRAILER(S) TO BE LOCATED ONCU 2089A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN(continued)RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 54.33 ACRES,
MORE OR LESS" (Conditional Use No. 2089) filed on behalf of Massey's
Landing Properties, LLC (Tax I.D. No. 234-25.00-31.02, 234-25.00-31.05,
234-25.00-31.04, and 234-25.00-31.00) (911 Address: 36625 Long Neck
Road and 20628 Long Beach Drive, Millsboro).

Janelle Cornwell, Planning and Zoning Director, presented the Conditional Use application.

The Planning and Zoning Commission held a Public Hearing on this application on July 27, 2017 at which time action was deferred. On August 24, 2017, the Commission recommended that the application be denied.

(See the minutes of the Planning and Zoning Commission dated July 27 and August 24, 2017.)

The Council found that Jeff Clark with Land Tech Land Planning, LLC and Jack Burbage, one of the campground owners and managing partner, were present on behalf of the application. They stated that the campground is an upscale camping facility with amenities; that it is a transient campground and all guests are transient; that no guests remain for the entire camping season and no campers/guests are permitted during the period that the campground is closed; that there are three types of transient guests – tent campers, RV guests, and park model RV guests; that the park models are owned by the campground; that in 2014, the Council approved Ordinance No. 2378 for the campground (Conditional Use No. 1963) with twenty conditions; that currently, in accordance with Ordinance No. 2378 (Condition No. 9) "The campground/RV park shall remain vacant and no campers or RVs shall be stored on the campground during the period that the campground is closed." and therefore, the park models have to relocate off-site during the time the campground is closed; that the facility opens no earlier than April 1st each year and closes no later than the first Sunday of November of each year; that it is expensive to move the park models offsite (approximately \$150,000 to move 32 units); that a total of 70 units were approved; that they are requesting that park models be permitted to remain on the site when the campground is closed by an amendment to Condition No. 9 of Ordinance No. 2378 stating that "The campground/RV park shall remain vacant and no campers or RV's except Park Model RV's shall be stored on the campground during the period that the campground is closed."; and that the Park Model RV's located in flood zone areas would meet flood plain requirements. Mr. Clark presented photographs of the campground and amenities.

There were no public comments in support of or in opposition to the application.

M 438 17 A Motion was made by Mr. Arlett, seconded by Mr. Burton, to defer action on Conditional Use No. 2089 filed on behalf of Massey's Landing Defer Action/ **Properties, LLC.** CU 2089

> **Motion Adopted:** 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN CU 2090 **AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SHOP FOR** PAINTING BUSINESS AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.4583 ACRES, MORE OR LESS" (Conditional Use No. 2090) filed on behalf of Edgar Reyes Hernandez (Tax I.D. No. 234-14.00-30.01) (911 Address: 25203 Zoar Road, Georgetown).

> Janelle Cornwell, Planning and Zoning Director, presented the Conditional Use application.

> The Planning and Zoning Commission held a Public Hearing on this application on July 27, 2017 at which time action was deferred. On August 10, 2017, the Commission recommended that the application be approved with the following conditions:

- The use shall be limited to a shop for a painting business and storage. Α. The storage shall only be used for materials directly associated with the painting business.
- **B**. There shall be no retail sales from the property.
- There shall not be any outside storage of paint, equipment or other С. materials associated with the use.
- All lighting on the site shall be downward screened so that it does not D. shine on neighboring properties or roadways.
- **E**. Any dumpsters on the site are to be screened from the view of neighboring properties and roadways.
- F. The Applicant shall comply with all DelDOT requirements for entrance and roadway improvements.
- The hours of operation shall be Monday through Saturday from 7:00 G. a.m. until 6:00 p.m. No deliveries to or from the site shall occur before 7:00 a.m.
- Signage shall not exceed 32 square feet on each side and shall not be H. lighted.
- All vehicle parking areas shall be clearly shown on the Final Site Plan I. and clearly marked on the site itself. All vehicles, including the Applicant's vehicles and employees' vehicles, must only be parked within the designated areas.

Public Hearing/

Public J. No more than 15 vehicles may be parked on the site at any one time.

Hearing/K.The use shall be limited to the existing buildings on the site. Any new
or expanded buildings shall require a new public hearing.

CU 2090 (continued)

- L. Failure to comply with any of these conditions shall be grounds for the termination of the Conditional Use approval.
- M. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

(See the minutes of the Planning and Zoning Commission dated July 27 and August 10, 2017.)

Edgar Reyes, property owner, and Melanie Cervantes (interpreter) were present on behalf of the application. They stated that the application is for a painting business with storage; that there is an existing building on the site; that no business is conducted on site; that some employees come to the site to pick up supplies/equipment and others go directly to the job site; that they sometimes leave their cars at the site and go to the job site; and that there is a day care nearby.

There were no public comments.

The Public Hearing and public record were closed.

M 439 17 A Motion was made by Mr. Cole, seconded by Mr. Burton, to defer action Defer on Conditional Use No. 2090 filed on behalf of Edgar Reyes Hernandez. Action/

CU 2090 Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea

Public Hearing/ CU 2095

A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO ORDINANCE NO. 1533 FOR CONDITIONAL USE NO. 1446 FOR A LANDSCAPING BUSINESS WITH OUTDOOR **STORAGE TO REQUEST AN AMENDMENT TO CONDITION NO. 3 REGARDING HOURS OF OPERATION TO BE LOCATED ON A** CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS" (Conditional Use No. 2095) filed on behalf of Sposato Investments, LLC (Tax I.D. No. 134-18.00-31.01 and 134-18.00-31.02) (911 Address: 34742 Rickards Road, Frankford).

Janelle Cornwell, Planning and Zoning Director, presented the Conditional Use application.

PublicThe Planning and Zoning Commission held a Public Hearing on this
application on July 27, 2017 at which time action was deferred. On August
10, 2017, the Commission recommended that the application be partially
approved for the following reasons and with the following conditions:

- 1. County Council approved this Conditional Use in 2002 for a landscaping business. There were several conditions attached to this approval.
- 2. Currently, Condition Number 3 of the Conditional Use states that "Business hours shall be from 7:00 a.m. until 7:00 p.m. There shall be no Sunday hours."
- 3. The Applicant seeks to amend Condition Number 3 to generally state: "Business Hours: 3 mechanics may arrive on site at 5:00 a.m.; management may arrive on site at 6:00 a.m.; and the remaining employees to arrive at 6:30 a.m. to prepare for daily operations with the daily end of all operations by 7:00 p.m. There shall be no Sunday hours."
- 4. The Applicant has stated that it is necessary for some of his employees to be on site early in the morning to keep the landscaping equipment maintained and ready to go out. And, the employees must arrive prior to 7:00 a.m. so that they can get the company equipment and vehicles to the various job sites on time.
- 5. There were many letters in support of the request, including letters from surrounding property owners. There was opposition from an adjacent property owner although his residence is approximately 660 feet from the boundary of the Applicant's property. The objections referenced early morning noise and traffic related to the operations occurring at the site.
- 6. The approved Conditional Use is located in an otherwise agricultural and residential area. There must be some expectation of noise from nearby permitted agricultural uses, but not on a daily basis starting at 5:00 a.m.
- 7. While I am not concerned about managers or employees arriving prior to 7:00 a.m., I do not believe that it is appropriate to allow mechanical and maintenance work on the vehicles and equipment to start at 5:00 a.m., 6 days a week. That is not compatible with the residential surroundings.
- 8. For all of these reasons, an appropriate amendment to Condition #3 of Conditional Use #1446 and Ordinance #1533 is as follows: "Business hours shall be from 6:00 a.m. until 7:00 p.m., Monday through Saturday. There shall not be any Sunday hours of operation. All employees may arrive on site no earlier than 6:00 a.m. However, no outdoor maintenance or mechanical work shall occur prior to 7:00 a.m. and no power equipment may be operated outdoors on the site until 7:00 a.m."

(See the minutes of the Planning and Zoning Commission dated July 27 and August 10, 2017.)

Public Hearing/ CU 2095 (continued) Ms. Cornwell reported that a new Exhibit Book was submitted by the Applicant and received by the Planning and Zoning Department on August 28, 2017. The new Exhibit Books were distributed to Council on this date.

Ms. Cornwell noted that two additional letters of opposition have been received since the Public Hearing before the Planning and Zoning Commission. The letters were made a part of the record.

The Council found that Shannon Burton Carmean, Attorney, was present with Tony Sposato, President of Sposato Investments, LLC and Sposato Landscape Company, Inc., and Rich McCracken, Ocean View Branch Manager of Sposato Landscape Co., Inc, They discussed the application to amend a condition of approval of Ordinance No. 1533 (Conditional Use No. 1446) relating to hours of operation. They stated that they are asking for an amendment to Condition No. 3. Condition No. 3 now states that "Business hours shall be from 7:00 a.m. to 7:00 p.m. There shall be no Sunday hours." and they would like the condition modified to allow three mechanics to arrive at 5:00 a.m., management to arrive at 6:00 a.m., and the remaining employees to arrive at 6:30 a.m. to prepare for daily operations; that the daily end time would remain at 7:00 p.m. and there would still be no Sunday hours; that the primary purpose of the request is to permit maintenance on vehicles/equipment prior to departure time; that all work would be performed inside; that Mr. Sposato did not know that he could not have employees arrive to the site prior to 7:00 a.m.; that the property consists of two parcels located on Rickards Road in Frankford; that the conditions of approval were amended in 2016 by the Planning and Zoning Commission to permit the grinding of yard waste to mulch; however, this is not being done; that there are other businesses in close proximity to the site; that letters of support have been received from area residents; that the Applicant did receive a violation notice from the County; that there would be no deliveries prior to 7:00 a.m.; that the site is not open to the public; that customers do not come to the site; that Mr. Sposato makes every effort to minimize impact to neighbors; that there is no signage advertising the business; that there is a forested buffer surrounding the property; that amending the hours of operation will have no adverse or detrimental impact on neighboring areas; and that all other conditions of Ordinance No. 1533, as amended, will remain unchanged.

There were no public comments in support of the application.

Public comments were heard in opposition to the application. Kyle McCabe, Jennica Kwiecien and Michael Kwiecien spoke in opposition to the application. They stated that noise is a problem and that they can hear loud diesel engines as well as beeping noises from trucks backing up during early morning hours; that there is noise from the mulch grinding operation; that the use impacts an area wildlife reserve; that public safety is a concern; that traffic is a problem and creates many safety concerns, including school bus safety; that the road is in disrepair and is not appropriate for truck traffic; that Rickards Road is a quiet residential road; that it is a tar and

Public chip road with no center line and that the road is not wide enough for activity associated with this Conditional Use; that the existing roadway Hearing/ CU 2095 cannot support the truck traffic, and the truck traffic is a danger to area residents and vehicles traveling on the roadway; that expanding this (continued) business will have a negative impact on the area, the roadway and the residents; that the Conditional Use permit has been violated for years; that they have fought this operation for years; that there are 60 to 80 vehicles accessing the site daily; that this property is not suitable for the use; that the Applicant can have trucks and equipment serviced on rainy days and does not need additional hours; that there is a regional business being operated out of this location: that many complaints have been filed to the Planning and Zoning Department over the past 5 to 10 years; that the operation continues to grow and the number of employees continue to grow; and that they want the original conditions upheld and enforced. Mr. Kwiecien submitted pictures into the record.

The Public Hearing and public record were closed.

A Motion was made by Mr. Wilson to Adopt the Proposed Ordinance M 440 17 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF Adopt LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR Proposed **Ordinance**/ AN AMENDMENT TO ORDINANCE NO. 1533 FOR CONDITIONAL CU 2095 **USE NO. 1446 FOR A LANDSCAPING BUSINESS WITH OUTDOOR** STORAGE TO REQUEST AN AMENDMENT TO CONDITION NO. 3 **MOTION REGARDING HOURS OF OPERATION TO BE LOCATED ON A** CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE DIED HUNDRED, SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS" (Conditional Use No. 2095) filed on behalf of Sposato Investments, LLC for the reasons stated, and with the conditions recommended, by the Planning and Zoning Commission.

The Motion died for the lack of a Second.

M 441 17 A Motion was made by Mr. Arlett, seconded by Mr. Cole, to defer action on Defer Conditional Use No. 2095 filed on behalf of Sposato Investments, LLC. Action/

CU 2095 Motion Adopted: 5 Yeas.

Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea

M 442 17A Motion was made by Mr. Arlett, seconded by Mr. Burton, to adjourn at
3:15 p.m.

Motion Adopted: 5 Yeas.

Vote by Roll Call:

M 442 17 (continued) Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea

Respectfully submitted,

Robin A. Griffith Clerk of the Council

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

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

August 25, 2017



Sussex County

DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 WINDMILL WOODS - PHASE 2 AGREEMENT NO. 476 - 2

DEVELOPER:

Mr. Coleman Bunting Windmill Woods, L.L.C. 32996 Lighthouse Road Selbyville, DE 19975

LOCATION:

County Road 352 near County Road 353

SANITARY SEWER DISTRICT:

Millville Expansion of the Bethany Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

lots 17-26

SYSTEM CONNECTION CHARGES:

\$57,750.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval 02/15/17

Department of Natural Resources Plan Approval 04/19/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 15 Construction Admin and Construction Inspection Cost – \$7,190.18 Proposed Construction Cost – \$47,934.54



ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

August 25, 2017



Sussex County

DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 WINDMILL WOODS - PHASE 1 AGREEMENT NO. 476 - 3

DEVELOPER:

Mr. Coleman Bunting Windmill Woods, L.L.C. 32996 Lighthouse Road Selbyville, DE 19975

LOCATION:

County Road 352 near County Road 353

SANITARY SEWER DISTRICT:

Millville Expansion of the Bethany Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Revised construction plans lots 66-73

SYSTEM CONNECTION CHARGES:

\$46,200.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval 02/15/17

Department of Natural Resources Plan Approval 04/19/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 15 Construction Admin and Construction Inspection Cost – \$5,556.70 Proposed Construction Cost – \$37,044.67



ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

August 22, 2017

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 COASTAL STATION (AKA CORRADO) AGREEMENT NO. 985

DEVELOPER:

Todd Bariglio Coastal Station Development Co., LLC 1201 N. Orange Street Suite 300 Wilmington, DE 19801

LOCATION:

SE courner of the intersection of Rt. 1 and 271

SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Multi-use Commercial Development with Convenience store, restaurant and retail.

SYSTEM CONNECTION CHARGES:

\$11,550.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval 01/26/17

Department of Natural Resources Plan Approval 05/10/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 8 Construction Admin and Construction Inspection Cost – \$7,127.40 Proposed Construction Cost – \$47,516.00



ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

August 22, 2017



Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 THE RESERVES - CLUBHOUSE AGREEMENT NO. 259 - 2

DEVELOPER:

Mr. Robert Sipple TAC Beacon II, LLC 2500 Wrangle Hill Rd #101 Bear, DE 19701

LOCATION:

Woodland Ave.

SANITARY SEWER DISTRICT:

Ocean View Expansion of the Bethany Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Clubhouse and lots 89-94 are connecting into the OVSSD

SYSTEM CONNECTION CHARGES:

\$40,425.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval 09/06/16

Department of Natural Resources Plan Approval 7/28/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 30 Construction Admin and Construction Inspection Cost – \$6,299.10 Proposed Construction Cost – \$41,994.00



ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

August 22, 2017



Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 COASTAL CLUB - LAND BAY 2A AGREEMENT NO. 984 - 14

DEVELOPER:

Mr. Preston Schell Coastal Club LLC 20184 Phillips Street Rehoboth Beach, De 19971

LOCATION:

+/-3,000' South east of intersection between Beaver Dam Rd. & Jimtown Road

SANITARY SEWER DISTRICT:

Goslee Creek Planning Area

TYPE AND SIZE DEVELOPMENT:

62 Single Family Lots

SYSTEM CONNECTION CHARGES:

\$358,050.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval 4/18/17

Department of Natural Resources Plan Approval 3/23/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90 Construction Admin and Construction Inspection Cost – \$18,624.38 Proposed Construction Cost – \$124,162.50



ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

August 22, 2017



Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 THE GROVE AGREEMENT NO. 1047

DEVELOPER:

Dave Watt McKee-Grove Homes LLC 940 W. Sproul Road Suite 301 Springfield, PA 19064-1255

LOCATION:

Fenwick area - Route 54 between Laws Point and Bayview Shores Dr. (N/Rt54)

SANITARY SEWER DISTRICT:

Fenwick Island Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

61 unit multi-family development; conditional use for multi in a MR district. CU Ordinance did not condition for streets to meet County standards, therefore streets not regulated under Chapter 99.

SYSTEM CONNECTION CHARGES:

\$352,275.00

SANITARY SEWER APPROVAL: Sussex County Engineering Department Plan Approval 09/13/16

Department of Natural Resources Plan Approval 10-21-17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 50 Construction Admin and Construction Inspection Cost – \$40,087.86 Proposed Construction Cost – \$267,252.43



ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799

August 23, 2017



Sussex County

DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

BRAD HAWKES DIRECTOR OF UTILITY ENGINEERING

FACT SHEET

SUSSEX COUNTY PROJECT 81-04 PLANTATION PARK MARINA AGREEMENT NO. 945 - 1

DEVELOPER:

Robert Harris Gulfstream Development LLC 27 Atlantic Ave. Ocean View, DE 19970

LOCATION:

CR 363, end of park place rd. in sussex county.

SANITARY SEWER DISTRICT:

Miller Creek Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

7 Single Family Lots

SYSTEM CONNECTION CHARGES:

\$40,425.00

SANITARY SEWER APPROVAL:

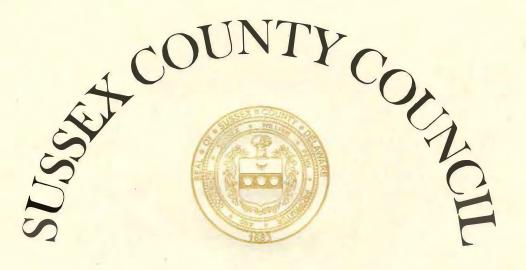
Sussex County Engineering Department Plan Approval 05/23/17

Department of Natural Resources Plan Approval 06/05/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 20 Construction Admin and Construction Inspection Cost – \$10,922.37 Proposed Construction Cost – \$72,815.82





A PROCLAMATION TO DECLARE SEPTEMBER 17-23, 2017 AS CONSTITUTION WEEK

WHEREAS, the Sussex County Council wishes to recognize organizations for their contributions to the betterment of our community; and

WHEREAS, The Major Nathaniel Mitchell Chapter of the Daughters of the American Revolution of Georgetown and other DAR chapters across the United States serve as volunteer, patriotic organizations that promote education and historic preservation; and

WHEREAS, in support of its mission, the Daughters of the American Revolution will lead the country's celebration of Constitution Week from September 17 through September 23, 2017; and

WHEREAS, the United States of America functions as a republic under the Constitution, the oldest written national constitution still in active use, which outlines the selfgovernment of a people; and

WHEREAS, this landmark idea that ordinary citizens had the inalienable right as individuals to be free, living their lives under their own governance, was the impetus of the American Revolution; and

WHEREAS, the tradition of celebrating the Constitution began over 60 years ago by the Daughters of the American Revolution, when, in 1956, President Dwight D. Eisenhower officially declared September 17 through September 23 as Constitution Week; and

WHEREAS, the intent of the celebration is to emphasize citizens' responsibilities for defending, protecting and preserving the Constitution for posterity; to inform the people that the Constitution is the basis for America's great heritage and the foundation for our way of life; and to encourage the study of the historical events which led to the framing of the Constitution in 1787;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council hereby declares September 17 through September 23 as Constitution Week in Sussex County; and

BE IT FURTHER RESOLVED that all citizens are encouraged to reflect on the duty committed to each of us by our forefathers – to preserve, protect and defend the Constitution, and the freedoms it guarantees, for generations to come.

Michael Vincent, Council President

Dated: September 19, 2017

(302) 855-7749 F tlawson@sussexcountyde.gov





Memorandum

- TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable George B. Cole, Vice President The Honorable Robert B. Arlett The Honorable Irwin G. Burton III The Honorable Samuel R. Wilson Jr.
- FROM: Todd F. Lawson County Administrator

RE: OLIVER CROPPER POINT RESOLUTION

DATE: September 15, 2017

During Tuesday's meeting, the Council is scheduled to consider a resolution relating to the naming of Oliver's Point in Summertime Park near Fenwick Island.

Mr. Oliver W. Cropper spent his life supporting the Fenwick Island Lighthouse and adjoining lighthouse keepers' houses. Mr. Cropper died in 2011 and in recognition of his services, a portion of land in Summertime Park that extends into Assawoman Bay is being named "Oliver's Point" in his honor.

In 2007, the State Senate passed a Joint Resolution honoring Mr. Cropper and approving the installation of a suitable state marker identifying Oliver's Point. A copy of the Joint Resolution is attached.

The U.S. Board of Geographic Names requires a person to be deceased at least five years before an area can be named in their honor. Furthermore, the Board requires the approval of the local jurisdiction before a geographic area can be renamed. The Council will consider approving a resolution to approve the designation of Oliver's Point in honor of Mr. Oliver W. Cropper. A copy of the proposed resolution is attached.

Please let me know if you have any questions or concerns.

Attachments





SPONSOR: Sen. Bunting & Rep. Hocker Sen. Adams

DELAWARE STATE SENATE 144th GENERAL ASSEMBLY

SENATE JOINT RESOLUTION NO. 6

HONORING OLIVER W. CROPPER OF FENWICK ISLAND FOR HIS MANY YEARS OF PUBLIC SERVICE BY DESIGNATING AN UNNAMED POINT EXTENDING INTO LITTLE ASSAWOMAN BAY IN HIS HONOR, AND URGING THE PROPER AUTHORITIES TO ACCEPT HIS NAME OFFICIALLY WHEN SUCH ACTION MAY BE CARRIED OUT UNDER THE APPLICABLE REGULATIONS.

1	WHEREAS, Oliver W. Cropper, a lifelong resident of the Selbyville and Fenwick Island areas of southeastern
2	Sussex County, has, since the early 1960s, been the owner of a tract of land located between the Atlantic Ocean and Little
3	Assawoman Bay and situated on the west side of Delaware Route One, overlooking the said bay; and
4	WHEREAS, Mr. Cropper and his family have long owned and operated a small mobile home park on this land,
5	known as Summertime Park; and
6	WHEREAS, the park is served by two roads, known as Cropper Lane and Summers End Road; and
7	WHEREAS, the longer of the two roads, Summers End Road extends outward onto a point at the western end of
8	the property that extends into the waters of Little Assawoman Bay and affords a view to the south of the Fenwick Island
9	Lighthouse; and
10	WHEREAS, it has been established by competent authorities of the State of Delaware that the said point on the
11	Summertime Park property which extends into the waters of Little Assawoman Bay is presently an unnamed geographical
12	feature; and
13	WHEREAS, in addition to his ownership of the said Summertime Park, Mr. Cropper is also the owner and
14	longtime occupant of one of the two privately-owned lighthouse keepers' houses adjoining the Fenwick Island Lighthouse,
15	together with additional lands which once made up the grounds of the Fenwick Island Light Station; and
16	WHEREAS, the lighthouse, one of the best-known and most important historic sites along the entire length of the
17	Delaware-Maryland coastal area, was erected in 1858 and was operated continuously thereafter for nearly 120 years for the
18	benefit of both local and coastwise shipping; and
19	WHEREAS, during its later years as a federal aid to navigation, the lighthouse property suffered some neglect, as
20	its importance as a navigational aid was ebbing and the financially-overburdened U.S. Coast Guard was contemplating
21	shutting it down, and Mr. Cropper and his late wife took an interest in the lighthouse and had historical signs and markers
22	prepared and erected at their own expense; and

SD : RBC : jad 3271440191

WHEREAS, when, in late 1978, the Coast Guard did officially shut down the lighthouse, thus ending its 120-year history as an active federal aid to navigation, Mr. Cropper, acting in cooperation with the late Paul and Dorothy Pepper of Selbyville and Fenwick Island, took action to bring together a group of citizens concerned about the fate of the lighthouse

and established a private, nonprofit organization known as the Friends of the Fenwick Island Lighthouse; and

WHEREAS, when ownership of the lighthouse property had been officially transferred from the U.S. Government to the State of Delaware, the Friends of the Lighthouse, with Mr. Pepper as president and Mr. Cropper as vice-president,

29 entered into an agreement with the state to operate the lighthouse as a private aid to navigation and as a historical site open

30 to the public at regular intervals during the summer months; and

WHEREAS, for many years thereafter and up to the present, Mr. Cropper has worked diligently to care for and maintain the lighthouse property, assuming the office of president of the Friends group in 1992, and helping to raise more

than \$100,000 for upkeep of the lighthouse; and

WHEREAS, Mr. Cropper has faithfully, year after year, worked quietly and without public acclaim to ensure that the lighthouse would remain open as one of Delaware's most beloved historic sites for both local citizens and the many visitors to the area to enjoy; and

WHEREAS, given Mr. Cropper's long and distinguished record of public service, the residents of the sixty-two lots in Summertime Park and members of the Cropper family have formally requested that the State of Delaware take official action to name the presently unnamed point of land at the western end of Summertime Park "Oliver's Point" in honor of Mr. Cropper; and

WHEREAS, upon contacting members of the Delaware Geographic Names Committee, which serves as an advisory body to the U.S. Board of Geographic Names on the naming of geographic features within the state of Delaware, the sponsors were advised that the U.S. Board of Geographic Names has an established policy of not considering proposed names for geographic features in honor of living persons and will not consider such proposals until a person has been deceased for at least five years;

46 NOW, THEREFORE:

47 BE IT RESOLVED by the Senate and House of Representatives of the 144th General Assembly of the State of

48 Delaware, with the approval of the Governor, that the State of Delaware does hereby honor the said Oliver W. Cropper of

49 Fenwick Island for his many years of selfless and dedicated service in the maintenance and preservation of the Fenwick

50 Island Lighthouse and it helping to keep it open for public viewing and enjoyment.

51 BE IT FURTHER RESOLVED that we do hereby direct that, to the extent that the State of Delaware may ordain

52 such an action, the presently unnamed point jutting out into the Little Assawoman Bay at the end of the Summertime Park

- 53 property shall henceforth be known as "Oliver's Point," and that a suitable marker or sign shall be erected by the State of
- 54 Delaware attesting to that action.
- 55 BE IT FURTHER RESOLVED that, while the Senate and House of Representatives of the 144th General
- 56 Assembly and the Governor of Delaware sincerely hope that the time when a request for the official naming of the said
- 57 point in honor of Mr. Cropper can be considered by the U.S. Board of Geographic Names will be far in the future and that
- 58 Mr. Cropper will enjoy many more years in happiness and in health, the State of Delaware strongly urges the U.S. Board of
- 59 Geographic Names, as soon as it may do so under its regulations, to officially designate the said point as "Oliver's Point."
- 60 BE IT FURTHER RESOLVED that a suitable copy of this Senate Joint Resolution be presented to Mr. Cropper
- 61 upon its passage, and that as soon thereafter as practicable a suitable state sign or marker attesting to the designation of the
- 62 said point in Mr. Cropper's honor, authorized under the provision of this resolution, be erected.

SYNOPSIS

This Senate Joint Resolution honors Mr. Oliver W. Cropper of Fenwick Island for his long record of distinguished public service on behalf of the Fenwick Island Lighthouse. In addition, it would officially designate an unnamed point of land at the western end of his Summertime Mobile Home Park jutting out into Little Assawoman Bay as "Oliver's Point" in his honor and directs that a suitable state sign or marker be erected attesting to this action. Lastly, it requests that the U.S. Board of Geographic Names take action to officially designated the said point as "Oliver's Point" on all future U.S. maps and similar documents as soon as it may do so in accordance with its established regulations.

Author: Senator Bunting

RESOLUTION R ---- 17

HONORING MR. OLIVER W. CROPPER OF FENWICK ISLAND FOR HIS MANY YEARS OF PUBLIC SERVICE AND APPROVING THE U.S. BOARD OF GEOGRAPHIC NAMES TO DESIGNATE THE POINT IN SUMMERTIME PARK AS "OLIVER'S POINT"

WHEREAS, Oliver W. Cropper and family owned a tract of land located between the Atlantic Ocean and Little Assawoman Bay and situated on the west side of Delaware Route One, overlooking the said bay and operated a small mobile home park on this land, known as Summertime Park; and

WHEREAS, it has been established by authorities of the State of Delaware that the point on the Summertime Park property which extends into the waters of Little Assawoman Bay is presently an unnamed geographical feature; and

WHEREAS, Mr. Cropper faithfully, year after year, worked quietly and without public acclaim to ensure that the Fenwick Island Lighthouse would remain open as one of Delaware's most beloved historic sites for both local citizens and the many visitors to the area to enjoy; and

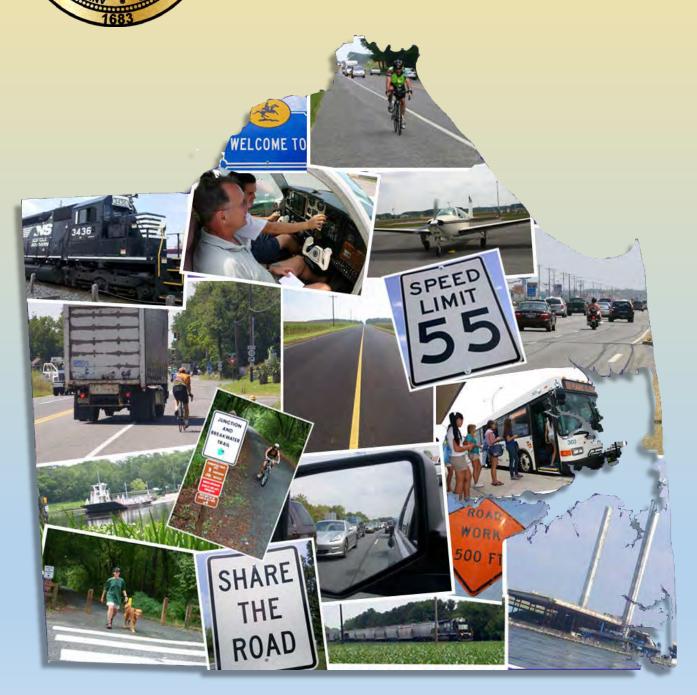
WHEREAS, the U.S. Board of Geographic Names requires the approval of the local jurisdictional authority to name a geographic feature in honor of a person who has been deceased for at least five years;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council of Sussex County, Delaware does hereby honor Mr. Oliver W. Cropper of Fenwick Island for his many years of selfless and dedicated service in the maintenance and preservation of the Fenwick Island Lighthouse and approves the U.S. Board of Geographic Names to officially designate the said point as "Oliver's Point."

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. R --- 17 ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE 19TH DAY OF SEPTEMBER 2017.

ROBIN A. GRIFFITH CLERK OF THE COUNCIL

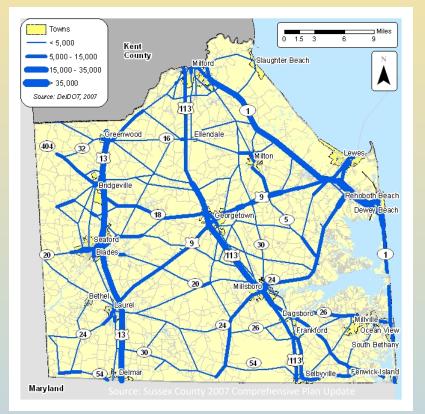
Sussex County 2019-2024 Capital Transportation Program Request



September 27, 2017

Sussex County 2019-2024 Capital Transportation Program Request

Average Annual Daily Traffic - 2005



Sussex County is Delaware's largest county, with 938 square miles of land within its borders. Within that broad expanse is more than 37 percent of the State's 6,281 miles of public roadway.

In Sussex County, the most heavily traveled roadways are US 13 and SR 1 (each carrying more than 30,000 vehicles daily), followed by US 113 with more than 24,000 vehicles daily. At the same time, the major east-west routes also are heavily traveled, though these are less capable of extensive traffic. Congestion due to the movement of summer visitors often compounds traffic problems.

As noted in the charts below, congestion is expected to worsen by 2030, even assuming currently planned projects are completed.



2000 and 2030 Year-Round Congestion (Volume to Capacity Ratio > 85%)

2000 and 2030 Summer Congestion (Volume to Capacity Ratio > 85%)



Sussex County Priorities 2019-2024 Capital Transportation Program Request



The following items are Sussex County's transportation priorities for the 2019-2024 Capital Transportation Program, based on past requests and public input. Each priority is explained in further detail in subsequent sections of this request:



Del. Route 1 Improvements 2019-2024 Capital Transportation Program Request

Pedestrian and bicyclist safety along the SR 1 corridor in Sussex County's beach communities has gained increasing attention in recent years with numerous accidents, some fatal, occurring along the highway, particularly between the Five Points intersection and Dewey Beach.

Sussex County recognizes finding solutions to the challenges present along SR 1 is not easy. A recently completed \$11.5 million effort to install sidewalks and add or improve existing crosswalks within the corridor stands to enhance pedestrian safety. In fact, these improvements may have factor lack of fatal been а in а pedestrian/bicycling incidents in the corridor during the 2016 summer season. However, pedestrian concerns must be balanced with the needs of the 80,000 daily beach-bound vehicles that depend on a steady traffic flow to reach their destinations. The County continues to call on DelDOT to consider reduced speed limits and simplified, visible signage in the corridor to aid drivers and pedestrians. Additionally, a low-level median barrier also might be appropriate to traffic pedestrian of outside discourage crosswalks.



What is critical is that there be community consensus in whatever decisions are made, to ensure SR1 serves its primary purpose as the gateway to Delaware's beaches, while maintaining safety for those who walk, bike and ride the corridor each day.

Editorial » Route 1 fatality deman DelDOT: Funde II DelDOT: Funde II Police investigate fatal crash near Dewey ussex roads Courtesy: Cape Gazette (Summer 2013)

Del. Route 1 Improvements 2019-2024 Capital Transportation Program Request

Sussex County supports a multi-faceted approach to enhancing SR 1 to improve pedestrian safety and ensure traffic flow.

Five Points Intersection/US 9 Realignment

Improvements are needed at the Five Points intersection to reduce accidents at this gateway to the resort area, which is often congested and confusing to motorists. Realignment of the US 9 connection at Five Points could ease congestion and improve safety. Meantime, intersection improvements at Wescoats and Savannah roads and a planned New Road connector could alleviate traffic approaching the Five Points area.

Intersection at SR 16 near Milton (programmed in CTP for FY21) An overpass with exits at this intersection, similar to the design built at SR 1/SR 30 near Milford, would improve safety by eliminating cross-traffic and the need for a traffic signal.

Pedestrian Crosswalks

Crosswalks at key locations – namely existing intersections – along with reduced speed limits would improve safety, especially for those walking near the retail outlets. Sussex County applauds the State for its recent work to install new crosswalks, particularly the HAWK system, and encourages the State to continue evaluating the corridor for other suitable improvement locations.

Pedestrian/Bicycling Paths

Continued expansion of the popular Rails with Trails concept along railway corridors, particularly between Georgetown and Lewes, could improve alternative movement to and along the SR 1 corridor. Additionally, dedicated pathways, improved lighting, more visible signage and crossings, and education outreach efforts to visitors could enhance bicycling safety in busy corridors where competing travel modes (vehicular, bicycling, and pedestrian) exist.

Commercial Properties Interconnectivity

Connecting entrances/exits between adjoining commercial properties should be a priority, where possible, along the SR 1 corridor. This would allow those visiting stores the ability to move among the properties without having to re-enter and exit the highway. Such connectivity also should be used in commercial areas along the US 13 and US 113 corridors.



SR 1 at Nassau Bridge, Five Points



Intersection of SR 16 and SR 1 near Milton



Bicyclist crossing SR 1

Delaware Coastal Airport 2019-2024 Capital Transportation Program Request



Delaware Coastal Airport near Georgetown is a critical part of Southern Delaware's transportation system, and the facility continues to provide lift to the local economy.

The airport records nearly 40,000 landings and takeoffs each year, and is home to a vibrant economic and educational base, including ALOFT AeroArchitects with its auxiliary fuel tank installation business and the DelTech aircraft maintenance training program. Currently, there are 20 employers and nearly 1,000 jobs at the adjacent Sussex County Industrial Park, with an annual payroll of more than \$36 million. Meantime, the County has added to the industrial park approximately 75 acres along Park Avenue for expansion, with the first tenant, Atlantis Industries, expected to begin operations by the end of 2017.

Planned airport improvements, notably the extension of the main runway from 5,500 feet to 6,000 feet, will help retain well-paying jobs at the airport and support economic growth in the community. An earlier 500-foot runway extension project began in August 2012 and was completed in late 2013.

Sussex County government plans various improvements totaling nearly \$15 million from FY18 to FY22 at the airport and industrial park complex. Meantime, the local share of costs (County and State) for the additional 500-foot runway extension will be approximately \$12 million. This includes \$6 million for the actual runway extension, and an additional \$6 million for the necessary realignment of Park Avenue (see Page 7). The Delaware General Assembly in June 2015 allocated \$5 million in the Bond Bill for improvements, laying additional groundwork for this important project to get in the air. Already, DelDOT has begun to move forward on conceptual planning and public outreach, hosting a workshop on the realignment project in August 2016.

The County urges the Council on Transportation, the Department, and the State to continue their work with the County and Delaware's Congressional delegation to secure the necessary federal and state funding for the full 1,000-foot runway extension, which is critical to ensuring aviation safety and continued economic opportunities in Sussex County.

Park Avenue/US 9 Truck Route 2019-2024 Capital Transportation Program Request



Park Avenue, which remains among the County's highest priorities, is an essential route in the Georgetown area, providing access to the Sussex County Industrial Park, as well as a bypass for trucks and local traffic moving through the central portion of the county. However, this two-lane road – also known as Truck Route 9, the designated road for tractor trailers moving through the Georgetown area – is in need of critical upgrades, from turn lanes and shoulders to intersection improvements and a partial realignment.

During an August 2016 public workshop, DelDOT presented a number of options for a realignment project, including shifting the road's current southern terminus at South Bedford Street to locations farther south, at the intersection with Arrow Safety Road and another at the intersection with Zoar Road.

With new commercial development occurring in the County's adjacent industrial park, truck traffic along this route will continue and increase in the years to come. Beyond truck traffic, a project to realign and make other improvements along Truck Route 9 would provide an opportunity for the State to enhance this route to improve safety for through-traffic and local motorists. It could serve as the base of a future Georgetown bypass to accommodate trough-traffic to and from the beaches, as well as along the US 113 corridor, which functions as a critical travel link for daily commuters.

County government requests the Council on Transportation give thoughtful consideration to giving this project higher priority in the state's construction schedule and allocate additional long-term funding for Park Avenue's realignment and other improvements. Doing this would enable the runway project to move forward sooner and guarantee a safer route for the traveling public.

East—West Corridors 2019-2024 Capital Transportation Program Request

The FY18-FY23 Capital Transportation Program contains approximately \$272 million in estimated State and federal funding for improvements to the county's network of east-west routes. There is approximately \$7 million in the budget for FY18 alone. Projects targeted for funding include preliminary engineering for SR 24 improvements, continued improvements to the US 9 corridor, construction of the North Millsboro Bypass, and construction of grade-separated intersections on SR 16, SR 18/404, and US 9.

Sussex County appreciates the State's ongoing attention to these very critical links to the transportation system by budgeting for these current and future long-term projects.

However, substantially more funding will be needed in the years ahead, particularly for rights of way acquisitions, so improvements on other major east-west arteries can occur across the entire network. These improvements would include:

- Widening corridors with additional lanes and shoulders to accommodate increased traffic volume, improving traffic flow and safety;
- Resurfacing of shoulders to highway standards;
- Intersection upgrades such as the addition of left-turn lanes, increased illumination, and directional signage;
- Better coordination of traffic signals at identified choke points.

If current travel patterns continue as predicted, increased and frequent congestion will further interfere with local residents' mobility in many areas. Anticipating and funding necessary improvements such as these across the county's entire network of east-west arteries will better meet the travel needs of local residents and visitors for decades to come.

East–West Corridors

2019-2024 Capital Transportation Program Request

State Route 24 is one of Sussex County's primary east-west corridors, allowing entry and egress from coastal communities. East-west routes are critical to allowing local motorists and destination drivers access to homes and commercial centers in the resort area. In more recent years, these routes, in their configuration as two-lane roads, have been insufficient to safely and efficiently move traffic into and out of the area, particularly during peak summer months and evacuations.

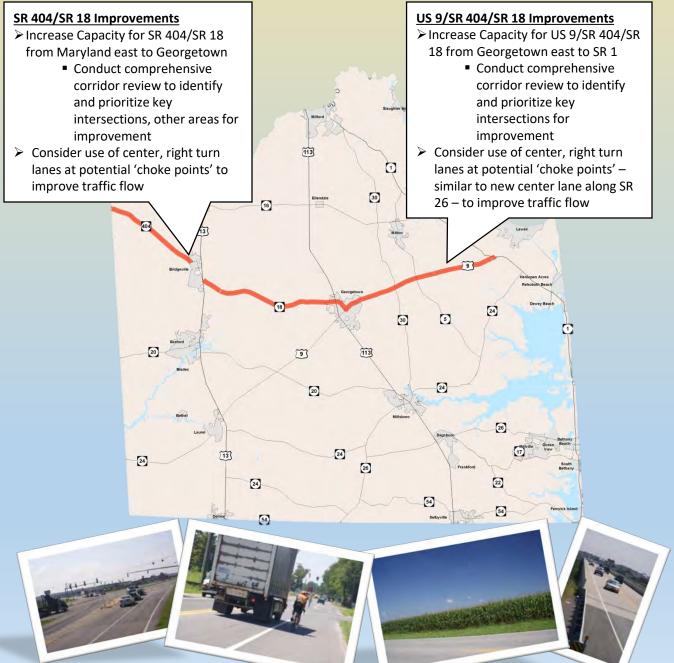




East–West Corridors

2019-2024 Capital Transportation Program Request

The SR 404/18 corridor, which connects with US 9 at Georgetown, is the principal means of east-west movement in Sussex County. This route, which connects to Route 404 in Maryland, is the gateway for beach-bound traffic during summer months, but a primary artery for local commuting traffic year-round. High traffic volume often limits this two-lane road's capacity; Maryland is widening its portion of the route to accommodate east-west traffic to and from Delaware. Sussex County respectfully requests the State consider a comprehensive transportation study to determine future improvements in this vital corridor.



Bicycling/Walking Trails 2019-2024 Capital Transportation Program Request

BIKE ROUTE

Sussex County supports the continued attention placed on efforts to bring new trails and pathways to Southern Delaware. Just this summer, new phases of the Junction & Breakwater Trail near Lewes and the Assawoman Canal Trail in Ocean View opened, giving cyclists and pedestrians safe, scenic ways to enjoy Sussex County.

The FY18-FY23 CTP contains \$800,000 in funding from the Transportation Trust Fund (TTF), along with another \$3.2 million expected in federal dollars, to continue the trails initiative that will link communities, parks, and other points of interest in the First State.

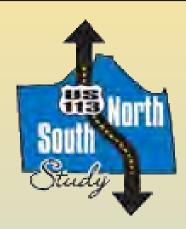
Projects that can benefit from this funding include the Georgetown-to-Lewes Rail Trail, which will stretch 17 miles mostly alongside the Delaware Coastline Railroad line from the county seat to the beaches. This multi-use path, with an initial phase completed and another set to begin in Spring 2018, will provide an alternate means for residents and visitors alike to navigate Sussex County, to access other trails, such as the Junction & Breakwater Trail between Lewes and Rehoboth Beach, and would promote a healthier lifestyle for users young and old. It also will retain the current rail line, providing a critical link for businesses to move products and keep the local economy strong.

Sussex County requests that the Council on Transportation and the Department evaluate proposals such as the Georgetown-to-Lewes Rail Trail when deciding how to allocate Delaware's annual share of federal matching funds, such as the Congestion Mitigation and Air Quality (CMAQ) and Surface Transportation Program (STP) grants.

Those dollars, in conjunction with the \$35 million that has been already allocated by the State in recent years, could make alternative, multi-use paths a reality for bicyclists and pedestrians who want to connect with their communities and the natural beauty that makes Sussex County so special.

North-South Hwy Improvements 2019-2024 Capital Transportation Program Request

Improvements to Sussex County's major northsouth corridors, specifically US 113, remain a significant transportation need to address local traffic requirements, seasonal demands and interstate travel. Public sentiment to preserve the highway with minimal impacts on properties remains high, and the State should continue to weigh those concerns as it moves forward with corridor plans, including bypasses around some of communities along the corridor.





US 113 is fed by SR 1 from the north, SR 404 from the west and the Maryland portion of US 113 from the south. Many travelers to the coastal areas of Sussex County already utilize US 113 to bypass the often congested SR 1 corridor. This is especially evident along the corridor at points including Georgetown and Millsboro during summer weekends, as traffic can back up for miles at times.

Users have distinct, and in some cases, conflicting operational requirements. Local users prefer access to properties with relatively simple and safe traffic patterns. Trucks, vacationers, and long-distance commuters, on the other hand, desire high-speed traffic patterns with minimal interruptions. Intersection upgrades, additional travel lanes, and other modifications could satisfy travelers' needs, and ease demand on other northsouth arteries, such as US 13 and SR 1.

Because of the project's potential costs and effects, the County believes improvements should be phased in, based on public consensus, and given high priority to move the project from concept to reality.

Scenic Byways 2019-2024 Capital Transportation Program Request

A journey through Sussex County quickly yields what continues to make Southern Delaware an attractive place to live, work and recreate: natural landscapes, charming neighborhoods, timeless history. Designated byways are the latest tool in exposing the traveling public to all that a community has to offer.

Sussex County supports ongoing efforts to designate and maintain scenic byways that pass through our diverse communities and educate travelers about the area's rich history, all while promoting mobility and commerce. Most notable among these efforts in recent years are the Nanticoke Heritage Byway in Western Sussex and the Lewes Scenic and Historic Byway on the eastern side of the county, both of which are part of the Delaware Byways and National Scenic Byways programs.



Both programs have been formalized through the completion of corridor management plans (CMP), which establish criteria and action items for the enhancement of intrinsic resources and preservation of the byway routes.

In the case of the Lewes Scenic and Historic Byway, the byway's committee has enumerated a number of actions and improvements that are considered critical to ensuring infrastructure meets travel demand and safety concerns. This is of particular interest along Kings Highway, a highly-traveled gateway for traffic utilizing the Cape May-Lewes Ferry and accessing local state parks. Sussex County respectfully requests the Council on Transportation consider funding for:

- Implementation of the Kings Highway/Gills Neck Road master plan, which calls for:
 - A roundabout at the intersection of Kings Highway and Dartmouth Road;
 - Creation of an appropriate boulevard, with adequate capacity, from Dartmouth Road to Gills Neck Road;
 - Gills Neck Road traffic calming measures;
 - Installation of a connecting path and barrier at the Junction & Breakwater trailhead ending at Freeman Highway/Gills Neck Road intersect;
- Master plan for New Road, as well as an overarching transportation management plan for the byway corridor

Local Roads 2019-2024 Capital Transportation Program Request

Routes such as SR 1, US 113 and US 13 serve as the major arteries of Sussex County's transportation network. Local roads, however, are the vessels that move traffic throughout all parts of the body.

The Sussex County Council submits the following list of local roads as those that should be targeted for upgrade and expansion. These roads are currently or soon will serve a growing population, which will result in added traffic. Many of these roads, either by State designation or through motorists' preference, are used as alternate routes for major thoroughfares.

Upgrades of these roadways includes paving of the surface, widening shoulders and/or installing turn lanes, as indicated. Upgrades also should include marking bicycle and pedestrian lanes, and illuminating key intersections.

The County recognizes it may be impractical to abandon the use of 'tar and chip' treatments on some roads. The County, however, encourages DelDOT to continue pursuit of its 10-year goal to pave all 'tar and chip' roads with an annual average daily traffic (ADT) count greater than 500 vehicles.



Local Roads

2019-2024 Capital Transportation Program Request

Bethany Beach

RD 360	-	Fred Hudson Road
		(Flooding)
RD 363	-	Double Bridges Road
		(Shoulders/Bike path)

Blades

RD 490 – River Road (Shoulders)

Bridgeville

RD 40 – Redden Road (Shoulders) RD 525 – Coverdale Road (Shoulders)

Dagsboro/Frankford

RD 336 -	Piney Neck Road
	(Shoulders)
	Fox Pup Pood

- RD 402A Fox Run Road (Pave)
- US 113 DuPont Blvd. at Crickett Street (Median crossover for EMS)

Dewey Beach

DE 1 – Coastal Highway (Bicycle/pedestrian improvements)

Fenwick Island

DE 1	 Coastal Highway
	(Sidewalks)
DE 54	 Lighthouse Road
	(Grade-separated
	bike/pedestrian path at viaduct)

Georgetown/Harbeson

RD 48	—	Zoar Road/Hollyville Road
		(Shoulders; Intersections at
		Avalon and Hurdle Ditch roads)
RD 62	_	East Trap Pond Road
		(Shoulders)
RD 318	_	Park Avenue (Truck Route 9)
		(Shoulders; Left-turn lane from
		US 9)
RD 527	_	Wilson Hill Road
		(Pave)



Georgetown/Harbeson (cont.)

US 9/SR 5 – Lewes-Georgetown Highway (Intersection signal timing) US 9/RD 319 – Lewes-Georgetown Highway/Sand Hill Road (Intersection improvements)

Greenwood

- DE 36 Scotts Store Road (Shoulders) RD 594 – Webb Farm Road
 - (Flooding at sharp turn)

Henlopen Acres

Ocean Drive (Widen shoulders/bike paths; Crosswalks)

Laurel

RD 468	-	Discount Land Road
		(Sidewalks)
RD 492	_	Portsville Road/Sixth Street

(Pave)

Lewes RD 88 –

- RD 88 Cave Neck Road (Lengthen left-turn lane from SR 1; Intersection improvements at Hudson and Sweet Briar roads)
 RD 266 - New Road
 - (Shoulders; Bike path; Elevate bridge)

Local Roads

2019-2024 Capital Transportation Program Request

Lewes (cont.)

Eches (con	,
RD 267 –	Gills Neck Road
	(Turn lanes; Shoulders; Signage)
RD 268 –	Kings Highway
	(Dualize from Dartmouth Drive to
	Freeman Highway; sidewalk
	connectivity from Cape Henlopen
	HS to Lewes city limits)
RD 268A –	Dartmouth Drive
	(Service exit)
RD 269 –	Clay Road
	(Turn lane at Kings Highway)
RD 270 –	Wolfe Neck/Munchy Branch roads
	(Bike/pedestrian path)
RD 277 –	Angola Road
	(Shoulders; Turn lanes; Drainage)
RD 285 –	Beaver Dam Road

(Shoulders; Turn lanes; Signal timing at Belltown Road; Intersection at Dairy Farm Road)

Millsboro

RD 328A – Godwin School Road (Pave)

Millville/Ocean View

RD 84	—	Central Avenue
		(Shoulders)
RD 349	-	Old Mill Road
		(Shoulders)
RD 350	-	Railway Road
		(Widen shoulders)

Milton

RD 88	-	Cave Neck Road
		(Widen shoulders)

Rehoboth Beach

RD 15A	-	Rehoboth Avenue Ext.
		(Shoulders/sidewalks/bike path)
RD 15A	—	Rehoboth Avenue Ext.
		(Drawbridge plates for
		bicycles)
RD 271	_	Holland Glade Road
		(Shoulders/bike path)



Rehoboth Beach (cont.)

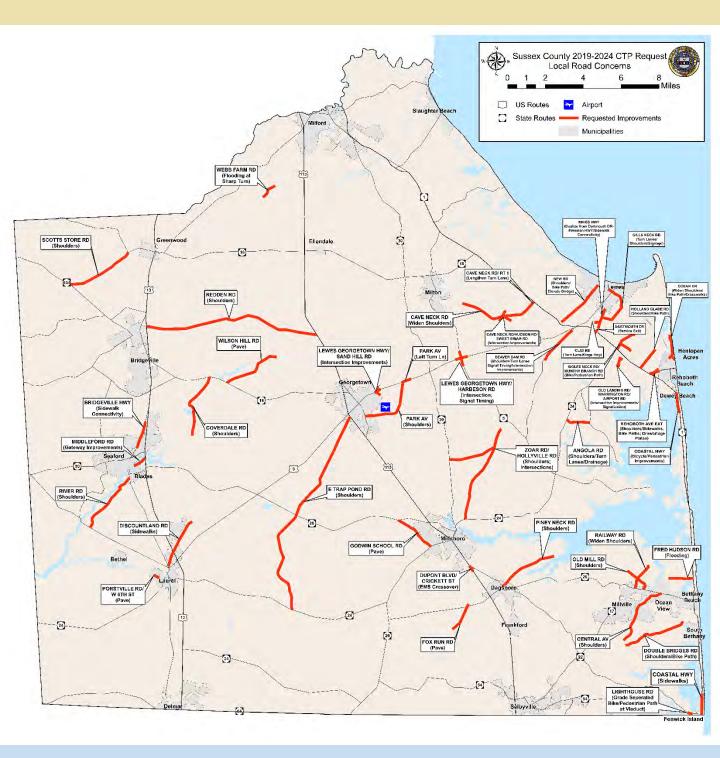
RD 274	 Old Landing/Warrington/Airport roads
	(Intersection improvements;
	Signalization)

Seaford

RD 535	_	Middleford Road
		(Gateway improvements)
US 13A	-	Bridgeville Highway
		(Sidewalk connectivity)

Local Roads 2019-2024 Capital Transportation Program Request

Items highlighted in **RED** correspond with road improvement requests listed on Pages 15 and 16 of the Sussex County 2019-2024 Capital Transportation Program request.



Intersections, Signage & Signalization 2019-2024 Capital Transportation Program Request

Like links in a chain, a transportation network is only as strong as the intersections, signage and traffic signals that connect together the system of roads and highways. Routes that easily clog because of limited capacity, poorly timed signals and inadequate signage can impede the flow of traffic.



The County encourages the State to continue evaluating intersections along major routes, such as the US 9 corridor between Georgetown and Lewes, to determine the best means for improving traffic flow. The County supports the State's recent and continued efforts to improve US 9 intersections at Gravel Hill, Harbeson, Hudson and Sweetbriar roads. The County requests similar study and improvements be made at the intersection of US 9 and Sand Hill Road in Georgetown, where increased traffic demands, particularly to and from the CHEER Community Center, Sussex Academy, and Delaware Coastal Airport, often leads to backups and delays along the corridor. Improvements at these and other intersections includes the installation of dedicated turn lanes and better coordination of traffic signals.

The County also encourages the State to improve signage along and near roads, such as SR 30 and SR 5 from Milford to Long Neck, that could serve as local bypass routes, thereby alleviating congestion on major highway corridors, including SR 1 and US 113.

An additional suggestion to improving safety and mobility is to implement appropriately designed and timed left-turn signal phasing at signalized intersections to promote safe and efficient left-turn movements and to ease congestion on major routes, such as SR 1, US 9, US 13 and US 113.



Transportation Alternatives 2019-2024 Capital Transportation Program Request



Delaware is at a crossroads: how does the state continue to drive commerce without stalling its transportation system? With visits and new residents on the rise, particularly in coastal communities, now is the time to expand transportation alternatives - particularly mass transit - to meet growing public demand, conserve resources and lessen the burden on highways. Stronger consideration toward various options could reduce traffic congestion on Sussex County's network of roads.

Bus Service

Fixed Route Service

Extending DART First State service to other areas, such as Selbyville, Millsboro, Long Neck and other job centers; expanding year-round service to multiple Sussex County points from Dover/Wilmington

- Private Partnerships Encourage private mass transit providers to offer bus routes between urban centers and Sussex beaches
- Signage and Stops

Current bus stops should be evaluated to ensure pickup and drop-off locations are optimal and not placed at out-of-the-way sites; larger signs at those locations could better draw public attention and boost ridership

Coordinated ParaTransit Services Helps the growing senior and disabled population with more efficient service

Passenger Rail Service

The County supports the effort by Delaware and Maryland to study passenger rail service on the Delmarva Peninsula. Additionally, Sussex County encourages DART to explore direct bus routes between Lewes/Rehoboth and the Wilmington train station on weekends to encourage rail use

Expanded Park & Ride System

Offer public additional park & ride locations to encourage carpooling, improve use of mass transit

Bicycle and Pedestrian

Complement the popular Junction and Breakwater Trail with other rail trails (e.g. Georgetown to Lewes, as well as Ellendale to Milton); such interconnectivity of trails could allow cyclists to commute safely between coastal and inland portions of the county Page – 19

Closing Remarks 2019-2024 Capital Transportation Program Request

Sussex County Council thanks the Department of Transportation and the Council on Transportation for considering its request for the 2019-2024 Capital Transportation Program.

As limited transportation funding is appropriated for various projects throughout the State of Delaware, particularly in difficult economic times, the County Council trusts that DelDOT and the Council on Transportation recognize how vital the County's recommendations are to accommodating an increasing population, expansive geography and rebounding local economy.

Sussex County encompasses the largest geographic area in Delaware, occupying more than 46 percent of the area in the state. Additionally, nearly 37 percent of all State-maintained roads are in Sussex.

The Delaware Population Consortium estimates Sussex County's population will grow approximately 30 percent between 2010 and 2025. An influx of new residents, uptick in housing construction, and a thriving tourism economy are positive signs for Sussex County's economy, but with that comes additional demands on our transportation system.

Residents of Sussex County continue to express concerns regarding the maintenance and improvements needed to the local road system. As the county grows, these concerns will only increase. Waiting to plan and make needed roadway improvements after the fact will only make these improvements more expensive and difficult to implement.

Sussex County requests the State of Delaware weigh these factors as it allocates transportation funds. The State should also consider the economic impact as it relates to the County's request.

Closing Remarks 2019-2024 Capital Transportation Program Request

As noted in previous years, County Council encourages the State to consider adequate funding for needed improvements to the County's transportation system. Sussex County urges DelDOT to take the necessary steps now to make essential projects, particularly intersection and travel lane improvements to the network of east-west arteries, among its highest priorities.

Pedestrian safety is of critical concern, especially with the volume of traffic along major corridors in the resort communities. Sussex County respectfully asks the State to evaluate pedestrian right-of-way laws, particularly in high-traffic corridors where speeds exceed 25 mph, to limit collisions and improve safety.

In addition to improving mobility and safety, enhancing economic development opportunities in Sussex County should be a factor in determining transportation priorities and funding.

Rerouting Park Avenue and extending the main runway at Delaware Coastal Airport will help to preserve existing jobs at the County's Industrial Park, and spawn new employment opportunities in the future. Meantime, providing a walking/bicycling trail between Georgetown and Lewes would increase tourism opportunities, especially in central Sussex County.

Overall improvements to the County's transportation system will ensure Sussex County and the State of Delaware can continue to serve our population, as well as attract and safely accommodate the millions of visitors who come to our state each year.

Again, Sussex County Council thanks the Department of Transportation and the Council on Transportation for allowing the County the opportunity to submit its yearly requests for the Capital Transportation Program. We expect this report will assist the Department in prioritizing which projects earn priority funding from DelDOT's limited resources.



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

www.sussexcountyde.gov





<u>Memorandum</u>

TO:	Sussex County Council
	The Honorable Michael H. Vincent, President
	The Honorable George B. Cole, Vice President
	The Honorable Robert B. Arlett
	The Honorable Irwin G. Burton III
	The Honorable Samuel R. Wilson Jr.

FROM: Gina A. Jennings Finance Director/COO

RE: **POSSIBLE INTRODUCTION OF UTILITY ASSESSMENT ORDINANCE**

DATE: September 15, 2017

On Tuesday, I will be bringing the attached ordinance before County Council for introduction. In April, as you may recall, Council supported State legislation to add a method of calculation using an equivalent dwelling unit for billing assessment debt to Title 9 of State Code.

The attached ordinance modifies Chapter 110 of the County Code. This section of the code encompasses water and sewer utilities. This ordinance, similar to the legislation passed at the state level a couple of months ago, simply adds equivalent dwelling units as a method of calculating sewer or water assessments.

Please contact me if you have any questions or concerns.

Attachment

pc: Todd F. Lawson Hans M. Medlarz Vincent G. Robertson, Esquire



ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 110, SECTION 110-88 OF THE CODE OF SUSSEX COUNTY TO ADD "EQUIVALENT DWELLING UNITS" AS A METHOD OF CALCULATING SEWER OR WATER ASSESSMENTS.

WHEREAS, Title 9, Sections 6505(b) and 6514 of the Delaware Code were amended to allow other means of collecting sewer assessments besides front footage calculations by Sussex County; and

WHEREAS, Sussex County desires to utilize a more uniform method of calculating sewer and water assessments wherever possible as new properties are brought into a Sussex County Sewer District or Water District; and

WHEREAS, Sussex County desires to utilize Equivalent Dwelling Units ("EDUs") as that term is already defined in Chapter 110 of the Code of Sussex County as a method of calculating sewer or water assessments for service provided by Sussex County; and

WHEREAS, both the Sussex County Engineering Department and the Department of Finance recommend and support the conversion from front footage assessment calculations to EDU calculations as an equitable means of determining sewer assessments; and

WHEREAS, the deleted language is in [brackets] and the new amended language is *italicized and underscored*.

NOW, THEREFORE THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. The Code of Sussex County, Chapter 110, Part 3, Article XIII, §110-88 "Annual Assessment Fees" is hereby amended by deleting the language in brackets and inserting the italicized and underscored language as follows:

§110-88 Annual assessment fees.

The annual sanitary sewer assessment fee and/or annual water assessment fee shall be established for each sanitary sewer district and or water district. Annual assessment fees shall be based on a proportion, as determined by the county, of the total amount required each year to reimburse the county for sums to be expended for retiring bonds and/or notes which have been issued or capital expenditures for a sanitary sewer district or a water district to design, acquire and construct a respective sewerage system or a respective water system. [The amount required from each district to reimburse the county shall be equally proportioned to the assessable footage in the district.] <u>Unless otherwise determined by the county as part of the approval of its annual assessment roll, the method of determining the assessment fee shall be based upon the method established at the time the property was incorporated into a sanitary sewer district or water district pursuant to Title 9 of the Delaware Code, as follows:</u>

A. Where EDUs are established as the method of determining assessment fees, the amount required from dwellings, structures or other establishments or facilities to which EDUs are assigned pursuant to this chapter shall be based upon the number of EDUs allocated to the property as determined in Article XIV of this Part 3 and the amount to be recovered by the assessment as determined by the county. Provided, however, that undeveloped residential lots shall be assessed with one EDU; once the property is improved or further subdivided, the number of EDUs allocated shall be as determined in Article XIV of this Part 3 and the amount to be recovered by the assessment as determined by the county.

B. Where a front footage calculation is established as the method of determining assessment fees, the amount required from each property shall be equally proportioned to the assessable footage in the district, as determined in Article XIII, Section 110-92 of this Part 3. All properties that are part of a sanitary sewer district or water district at the time of adoption of this ordinance shall continue to be assessed based upon a front footage calculation, unless otherwise determined by the county as part of the approval of

<u>its annual assessment roll.</u>

Section 2. Effective Date.

This ordinance shall become effective upon its adoption by Sussex County Council.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. ____ ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE ___ DAY OF _____, 20___.

ROBIN GRIFFITH CLERK OF THE COUNCIL

SYNOPSIS: This ordinance allows Sussex County to make sewer and water assessments based upon either a front footage or EDU calculation. This follows the adoption of an amendment to Title 9, Sections 6505(b) and 6514 of the Delaware Code. For all existing customers, the assessment will continue to be based upon front footage calculations. For new areas brought into the county's sewer or water districts, the method of assessment will be determined at the time that the area is brought into the county sewer or water district. Provided, however, that the county may establish the method of assessment for any properties as part of the adoption of the annual assessment roll.



SUSSEX COUNTY EMERGENCY MEDICAL SERVICES

22215 Dupont Blvd. • P.O. Box 589 • Georgetown, DE 19947 • 302-854-5050 • FAX 302-855-7780

Robert A. Stuart Director

To: Sussex County Council
From: Ed Engdahl, Education Coordinator, Sussex County EMS
cc: Director Bob Stuart, Deputy Director Jeff Cox
Date: September 13, 2017
Re: Motion to sign MOU between Sussex County Council and Rescue One For Life

Mr. President and Honorable members of The Council,

Sussex County EMS has been afforded an opportunity to become an American Heart Association Training Site in affiliation with Rescue One For Life. We have worked with this Company extensively for several years to maintain our certifications in Advanced Cardiac Life Support, Basic Life Support, and Pediatric Advanced Life Support, as mandated by the State.

Becoming an AHA Training Site is beneficial to our department and the county for multiple reasons. The most obvious reason is financial savings. Over the past fiscal year, the EMS department has paid Rescue One \$7890.00 to pay for instructors and class coordination to maintain two of our certifications. With the implementation of the MOU, our department pays a flat rate of \$500.00 per year.

Under a signed MOU, Sussex County EMS becomes an agency that is selfsustaining in regards to our certification classes and instructors. As a training site, the department is responsible for maintaining all of the appropriate paperwork for AHA certification classes, appointing and training faculty, maintaining an adequate instructor pool, and obtaining certification cards. We currently depend on Rescue One to perform all of the above, sometimes with significant time gaps between classes and certification due to clerical issues.

The designation of Training Site, in addition, has the potential to generate income for the department and the county. Sussex County EMS can potentially coordinate and teach certification classes to the public and other healthcare providers in need of certification. These are billable classes, and can generate income for us.

In addition to the financial saving to the county and the potential to generate income, the ability to maintain our own records, faculty, and instructor pool can only benefit our department.

Caring People, Quality Service



Todd F. Lawson Administrator



SUSSEX COUNTY EMERGENCY MEDICAL SERVICES

22215 Dupont Blvd. • P.O. Box 589 • Georgetown, DE 19947 • 302-854-5050 • FAX 302-855-7780

Robert A. Stuart Director

If it pleases The Council, be it moved that Sussex County Council approves the Memorandum of Understanding between Sussex County and Rescue One Inc. to become an American Heart Association Training Site.

Thank you for your time and consideration,

Edward A. Engdahl Sr. AS, NRP Education Coordinator Sussex County EMS

Caring People, Quality Service



Todd F. Lawson Administrator

Rescue One

Training for Life, Inc.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made by and between Rescue One Training for Life, Inc., a corporation of the State of Maryland with an address of 7621 Rickenbacker Drive, Suite 700, Gaithersburg, MD 20879 and also currently licensed to conduct business in the State of Delaware (collectively referred to as "Training Center") and SUSSEX COUNTY, a politic subdivision of the State of Delaware, with an address of 2 The Circle, P.O. Box 589, Georgetown, DE 19947, on behalf of the Sussex County Delaware Department of Emergency Medical Services ("Training Site").

- Purpose. The purpose of this MOU is to define the collaboration between the Training Center and the Training Site. This MOU applies only to American Heart Association ("AHA") Basic Life Support ("BLS"), Advanced Life Support ("ALS"), Advanced Cardio Life Support ("ACLS"), Pediatric Cardio Life Support ("PCLS"), Pediatric Emergency Assessment Recognition and Stabilization ("PEARS") and Advanced Cardiovascular Life Support for Experienced Providers ("ACLS EP") certification courses, including Heartsaver courses.
- 2. Training Site Criteria. Training Site shall comply with the Training Site Criteria as defined in the AHA Program Administration Manual, latest edition.
- Training Site General Requirements. For purposes of this MOU, the Training Site shall comply with the following:
 - A. Training Site must have access to adequate equipment and an adequate number of AHA Instructors to conduct AHA courses independently.
 - B. Training Site must agree to conduct AHA courses in accordance with the guidelines outlined in the Program Administration Manual as well as the Instructor's manual for each discipline it is approved to teach.
 - C. Training Site must have access to a current copy of the AHA Program Administration Manual, including all updates, either via the internet or in printed form, as long as this MOU is current.

4. Training Site Management.

- A. Training Site agrees to comply with all policies and procedures outlined in the Program Administration Manual as well as those specified by the Training Center.
- B. Training Site agrees to designate an appropriate number of Faculty members approximately one per each 8 instructors (per discipline) - to conduct instructor

courses and adequately monitor and supervise instructors.

- C. To be designated Training Site Faculty, an instructor must have had instructor status for a minimum of two (2) years and have been actively teaching for the Training Site for a minimum of one year.
- D. Training Site agrees to conduct all AHA Instructor and Provider courses according to AHA guidelines, as outlined in the Instructor Manual for each course.
- E. Training Site will maintain an adequate library of current student workbooks, equal to twice the number of expected students per class.
- F. Students must be provided with a workbook prior to class, have it with them at class, and have access to it after class. All ACLS and PALS students must complete and pass the Pre- Course Self-Assessment on the AHA student website, using the access code in their student workbook, prior to attending the classroom course.
- G. Training Site will maintain all course and instructor-related paperwork on-site for a minimum of three (3) years; digital or hard copy format. The minimum paperwork to be retained is:
 - Course roster, whereon each student has signed or initialed to indicate their physical presence at class.
 - ii. Completed student evaluation forms.
 - iii. Test scores for each student. (Graded answer sheets should be shredded once test scores are recorded.)
 - iv. Scores for ACLS and PALS students' Pre-Course Self-Assessment.
 - Copies of Certificates of Completion for all Heartcode (online blended learning) skills students.
 - vi. Copies of skills checklists for any student who does not pass the skills portion of a course.
 - vii. Instructor observation and/or monitor forms.
 - viii. Record of all classes taught by each instructor.
 - ix. Copies of any disciplinary actions or complaints filed against any instructors.
- H. For all instructor renewals, Training Site agrees to provide Training Center with the following:
 - i. Appropriate instructor skills assessments.
 - List of the dates and disciplines of courses the instructor has taught in the previous two (2) years. Must have a minimum of four (4) classes in each discipline renewing.
 - iii. Score for the written provider exam (Version B) for any discipline being renewed.
 - iv. Monitor form indicating successful teaching for each discipline being renewed.
- For all new instructors, Training Site agrees to provide Training Center with the following:

- i Copy of a current Provider certification card for each instructor discipline.
- ii. Copy of the roster for the classroom instructor course, with student sign-in.
- Score for the written instructor essentials exam (Version B) for any discipline being renewed.
- iv. Monitor form indicating successful teaching for each new instructor discipline.
- v. Class Observation Form(s), if required by Training Site.
- 5. **Memorandum of Understanding.** During the term and renewal of this MOU, Training Site will maintain a current MOU with the Training Center.
- 6. Training Site Maintenance Fee. Training Site will pay Training Center a \$500.00 Annual Training Site Maintenance fee.
- Course Certificate Card Costs. Heartsaver or BLS Provider course certification cards may be purchased at a cost of \$6.00. ACLS, PALS, PEARS, and ACLS EP course certification cards may be purchased at a cost of \$12.00 each. The cost for all instructor cards is \$20.00 each. These costs are subject to change for future MOUs.
 - A. As of 5/29/2013, AHA requirements for filling out course completion cards have changed. Training Site agrees to adhere to the following guidelines when issuing certification cards:

"The AHA requires that the appropriate course completion cards be stamped, typed, or computer printed to reduce the risk of course completion cards being altered. The information on the course completion cards needs to be complete and legible. It is permissible for a Training Center ("TC"), Training Site ("TS) or instructor to legibly handwrite information required on the front of the card only (student name, issue date, and recommended renewal date). The handwritten information must be printed in blue or black ink. All information on the back of the card must be stamped, typed, or computer printed."

This includes the course location field.

- B. When completing the cards, the Issue Date should reflect the month, day and year of the class; or the month and year. The Recommended Renewal Date should reflect only the month and year of the class. It is preferred, but not required, that all dates be stamped.
- 8. Training Site Compliance Visits. The Training Center Coordinator, Training Center Faculty, or Training Program Manager will visit the Training Site at least once every two (2) years to ensure that the site complies with AHA and Training Center policies. At the time of the Site visit, an administrative review will be conducted, including stored records.
- 9. Training Site Annual Reports. Training Site shall submit an Annual Report to Training Center with respect to the prior 12-month period. Each Annual Report shall be submitted no later than December 31st of each calendar year regardless of the commencement date of this MOU. Each Annual Report shall include the following information:

- a. Total number of individuals trained in each type of course;
- b. Total number of current BLS, ACLS, ACLS EP and PALS Instructors;
- c. Total number of new instructors added; and
- d. Total number of instructors recertified.
- 10. Required Disclaimer. Training Site agrees to print the following disclaimer on all Training Site promotional materials, brochures, announcements, agendas, website, social media and all other materials distributed or made available to students in courses for which fees are charged:

"The American Heart Association strongly promotes knowledge and proficiency in BLS, ACLS, and PALS and has developed instructional materials for this purpose. Use of these, or other materials, in an educational course, does not represent course sponsorship by the American Heart Association or Rescue One Training for Life, Inc., Training Center. Any fees charged for such a course, except for a portion of fees needed for AHA course materials, do not represent income to the American Heart Association or the Training Center."

- 11. AHA Program Administration Manual. Training Center shall provide a copy of the AHA Program Administration Manual to Training Site upon request, and shall provide updated versions when each becomes available during the term of this MOU. Updated versions shall be provided to Training Site within ten (10) days of Training Center's receipt of same.
- 12. **Training Site Insurance.** By April 30th of each year, Training Site will annually provide Training Center with a copy of a certificate of general liability insurance from a reputable carrier, with limits equal to or greater than \$1,000,000.

13. Term, Termination and Renewal.

- A. The initial term of this MOU shall be for a period of one (1) year which shall commence on August 1, 2017 and expire at midnight on July 31, 2018.
- B. This MOU shall automatically renew annually, beginning on August 1, 2018, unless altered or cancelled in writing by either party. Each party is free to decline to renew or extend the term of this MOU upon thirty (30) days' written notice to the other party.
- C. Upon termination or expiration, with or without cause, all unused AHA Course Certification Cards, shall be delivered to the Training Center.
- D. This MOU may be terminated by either party if the other party breaches any term or condition of the MOU or policies outlined in the AHA Program Administration Manual and fails to cure the breach within ten (10) business days after receipt of written notice describing the breach. Training Site acknowledges and agrees that breach includes, but is not limited to, failure by Training Site to comply with program and/or curriculum guidelines, and that neither the AHA, Training Center nor its affiliates nor their officers, employee volunteers or agents shall have liability for any resulting termination under this MOU.
- E. This MOU may also be terminated by either party, without cause, upon thirty (30) days prior written notice to the other party in accordance with the Notice provision

set forth in paragraph 15 hereof.

- 14. Funding Contingency. It is expressly agreed and understood that Training Site relies upon the General Assembly of the State of Delaware for the funding of the paramedic operations of Sussex County, Delaware. Should the General Assembly of Delaware at any time fail to appropriate sufficient funds for the purpose of maintaining this MOU, Training Site shall have the option to terminate this MOU upon written notice to Training Center. Any such notice must be given at least thirty (30) days in advance of the proposed termination date. Training Site shall exercise its best efforts to procure said funding during the term of this MOU.
- 15. Indemnification. To the fullest extent provided by law, Training Center shall indemnify, hold harmless, and defend Training Site, its elected and appointed officials, officers, employees, and agents from and against any and all claims, damages, injuries, and expenses (including related attorneys' fees and other defense costs) arising out of or resulting from Training Center's actions or inactions which are in any way related to its role as set forth in this Agreement and its duties with respect hereto, whether occurring in Sussex County, DE or elsewhere, including, but not limited to, claims, damages, losses, injuries or expenses attributable to bodily injury, sickness, disease or death, or injury to or destruction of tangible and intangible property, including the loss of use resulting there from, asserted by any person, persons or artificial entity, including, but not limited to Training Center's employees, servants, representatives, guests, invitees, contractors, licensees, and visitors regardless of whether or not such claims, damages, injuries and expenses are caused in part by a party indemnified hereunder.
- 16. Notices. All notices required to be given hereunder shall be sent by registered or certified mail, return receipt requested or by a nationally recognized overnight delivery service with all charges pre-paid and sent to the address as follows:

If intended for Training Site:

Sussex County Administrator Sussex County Administration Building 2 The Circle P.O. Box 589 Georgetown, DE 19947

With a copy to:

J. Everett Moore, Jr., Esquire Moore & Rutt, P.A. 122 W. Market Street P.O. Box 554 Georgetown, DE 19947

If intended for Training Center:

With a copy to:		
		-

Either party shall be entitled to change the person or address to which notices shall be given hereunder by giving notice to the other party in accordance with the provisions set forth herein.

- 17. Miscellaneous:
 - A. Obligations Independent. Each duty or obligation imposed by this MOU is independent. A breach by one party of any duty or obligation shall not excuse the performance of any duty or obligation required of the other party.
 - B. Gender. As used in this MOU, and where the context requires: (1) the masculine shall be deemed to include the feminine and neuter, and vice versa; and (2) the singular shall be deemed to include the plural, and vice versa.
 - C. Governing Law. This MOU shall be governed by, and construed in all respects in accordance with, the laws of the State of Delaware, with venue lying in the Sussex County.
 - D. NO JURY TRIAL. NEITHER PARTY SHALL ELECT A TRIAL BY JURY IN ANY ACTION, SUIT, PROCEEDING OR COUNTERCLAIM ARISING OUT OF OR IN ANY WAY CONNECTED WITH THIS MOU.
 - F. Entire Agreement; Amendment. This MOU constitutes the entire agreement between the parties, and it supersedes any and all prior understandings or commitments concerning the subject matter of this MOU. This MOU shall not be modified or amended except by a written instrument executed by both Training Center and Training Site. Training Center and Training Site agree that this MOU has been freely negotiated by both parties.
 - G. Severability. If any provision of this MOU or the application thereof shall to any extent be held invalid, then the remainder of this MOU or the application of such provision other than those as to which it is held invalid shall not be affected thereby, and each provision of this MOU shall be valid and enforced to the fullest extent permitted by law.
 - H. Binding upon Successors and Assigns. Subject to, and unless otherwise provided in, this MOU, each and all of the covenants, terms, and provisions contained herein shall be binding upon, and inure to the benefit of, the successors and assigns of the Parties hereto.
 - Paragraph Headings. All paragraph headings contained in this MOU are intended for convenience of reference only and are not to be deemed or taken as a summary of the provisions to which they pertain or as a construction thereof.
 - J. Counterparts: This MOU may be executed in two counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument. Electronic signatures and photocopies or facsimile copies of signatures shall be deemed to have the same force and effect as originals.
 - K. Attorneys' Fees and Costs. In the event of any dispute or litigation between the parties in connection with or arising out of this MOU, or to enforce any right or obligation of either party under this MOU, or for a declaratory judgment, or for the construction or interpretation of this MOU or any right or obligation under or impacted by this MOU (in each case, a "Proceeding"), each party shall be responsible for its own fees and costs therein, including, without limitation, attorneys' fees, court costs, and costs of expert

witnesses and of investigation, incurred at or in connection with any level of the Proceeding, including all appeals thereof.

- L. Relationship of Parties. Anything in the foregoing to the contrary notwithstanding, it is agreed that, in no event shall either party be deemed to be a partner of, or engaged in a joint venture with, or be an associate of the other party for any purpose whatsoever; nor shall either party be liable for any debts incurred by the other party in the conduct of its business or otherwise. Nothing contained in this MOU shall be deemed or construed to confer upon either party any interest in the business of the other party, and nothing herein shall be construed to authorize either party to bind the other party in any decisions.
- M. Corporate Resolution. The persons executing this MOU on behalf of Training Center corporations, hereby covenant, represent and warrant that Training Center is a duly organized and/or a duly qualified (if a foreign Entity) Entity and is authorized to do business in the State of Delaware; and that the person or persons executing this MOU on behalf of Training Center is an officer or are officers of such Training Center, and that he, she or they were duly authorized to sign and execute this MOU. Upon request of Training Site, Training Center shall deliver to Training Site documentation satisfactory to Training Site evidencing Training Center's compliance with the provisions of the preceding sentence.
- N. Assignment. Neither party may assign this MOU without the express written consent of the other party.

In witness whereof, the parties hereto have caused their authorized representatives to place their hands and seals hereon on the respective dates set forth below.

Date: 8/24/17

Rescue One Training for Life, Inc., a corporation of the State of Maryland

By:

Pamela A. Witczak, Training Center Coordinator/Training Center Manager

Attest

Catherine Gruber, President/CEO

TRAINING SITE:

Sussex County, a political subdivision of the State of Delaware

By:

Michael H. Vincent, President Sussex County Council

Attest:

Robin Griffith, Clerk of Sussex County Council

Date:

Woodland Schoolhouse Project

History

Phase I Restoration

Moving Forward



WOODLAND PARK



MASTER PLAN CONCEPT 1

Woodland in 1868



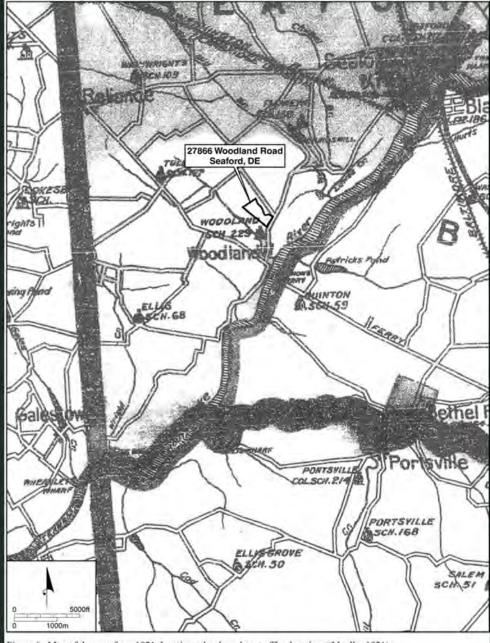


Figure 6. Map of the area from 1921 denoting schools and post office locations (Mueller 1921).

Woodland School

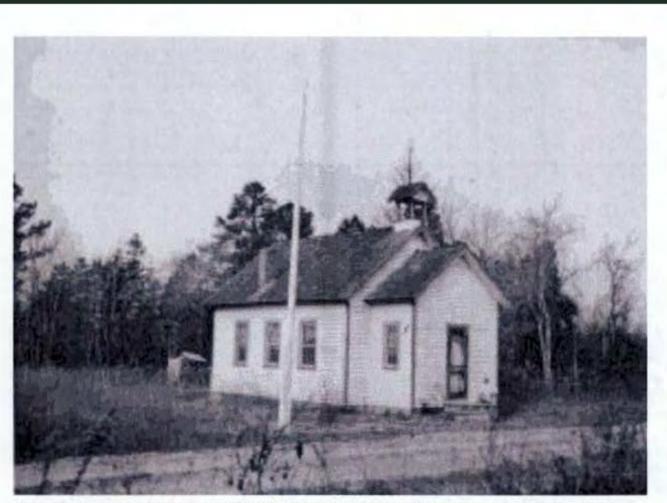
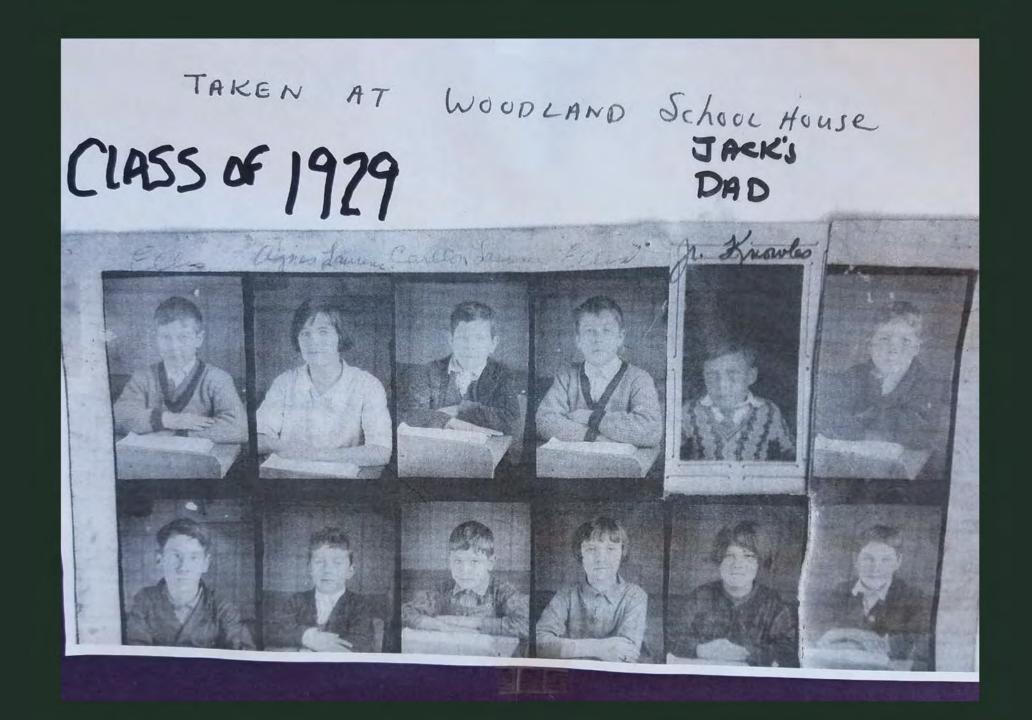


Figure 8. Historic photograph of Woodland School building, taken November 1929 (Delaware Public Archives 1929).



Morris Bungalow





Golf Course Club House





First Floor

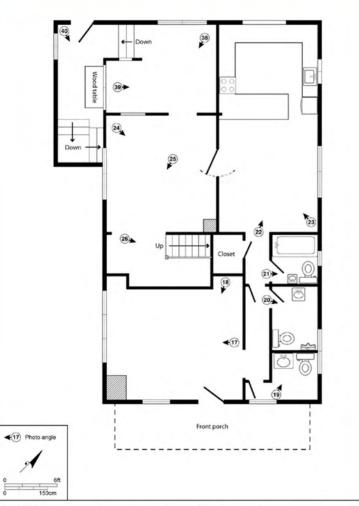


Figure 2. Floor plan of entrance level of former dwelling, as of November 2012, showing direction of interior photographic views.

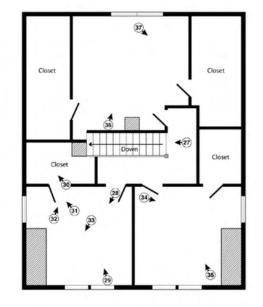








Second Floor



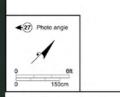


Figure 3. Floor plan of upper level of former dwelling, as of November 2012, showing direction of interior photographic views.







Basement

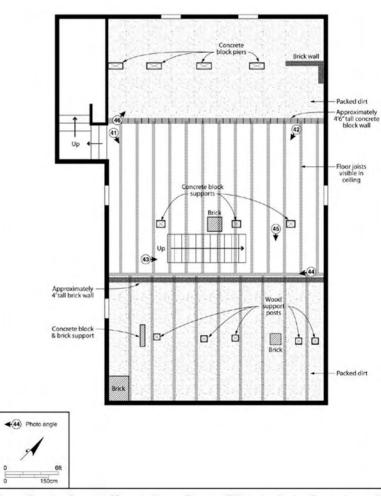


Figure 4. Floor plan of basement of former dwelling, as of November 2012, showing direction of interior photographic views.



Team – Woodland Schoolhouse Association/ Volunteers



Revealing the Schoolhouse

















Support Wall





New Rafter System



New Roof on the old School





Backfill



Wrapped up & Weather Tight





Next Steps

• Phases of restoration – Phase II – Exterior Phase III - Interior

 Interpretive Site – to give students/visitors a glimpse into educational practices of the past

End Result





RESOLUTION NO. _____ DISTRICT BOUNDARIES FOR THE PROPOSED ELLENDALE WATER DISTRICT

WHEREAS, petitions were received from more than 50 legal voters of the proposed Ellendale Water District requesting Sussex County Council to submit the question of organizing a water district to a vote of electors residing in that area; the description and a map of the proposed boundaries is attached as **Exhibit "B"**; and

WHEREAS, a public meeting was held on August 16, 2017 presenting preliminary costs and describing the proposed boundary for the proposed Ellendale Water District and based on requests from residents the boundary was adjusted to that as shown in Exhibit "A"; and

NOW, THEREFORE,

BE IT RESOLVED by the Sussex County Council that the establishment of a water district is deemed to be in the public interest and will be conducive to the preservation of the public health; and

BE IT FURTHER RESOLVED that the area shown as Exhibit "A" is hereby established as the "Proposed Ellendale Water District" and is more fully described as follows:

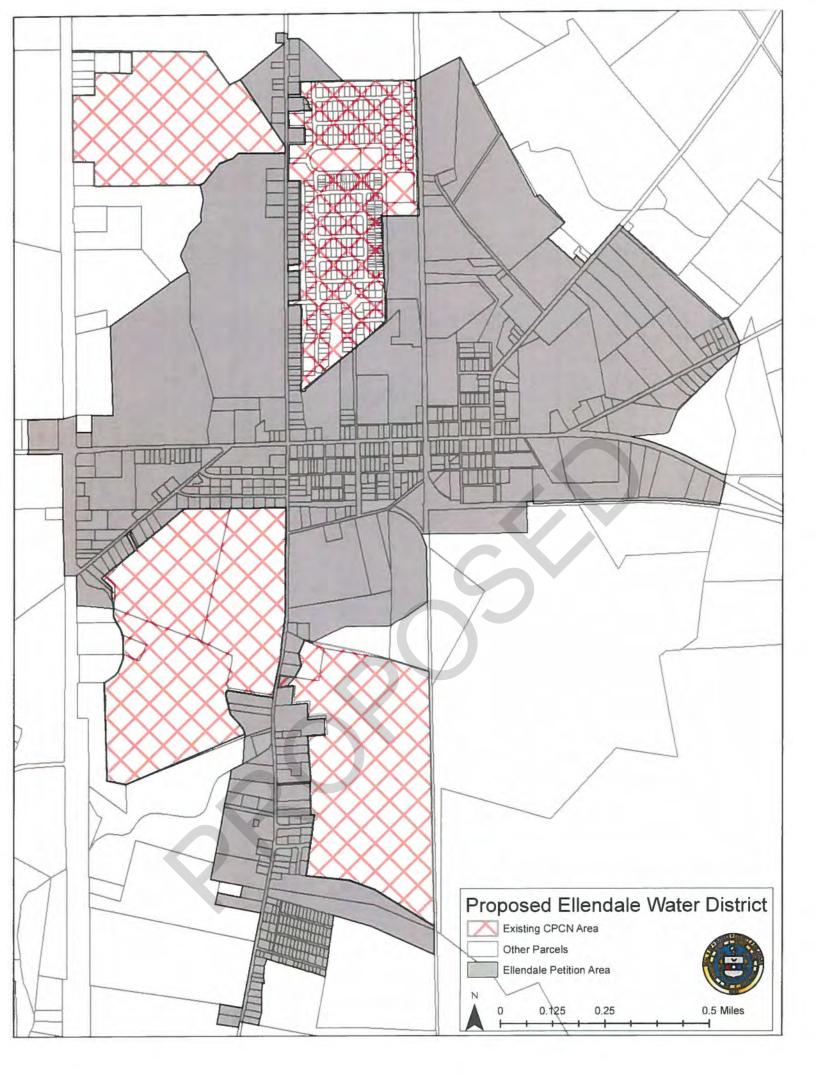
Beginning at a point, said point being on the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Ellendale Area, said point also being on the northern property line of Ingram Village (PB 149-68); thence leaving said SCUSSD boundary and proceeding by and with said Ingram Village lands in a westerly, generally southerly, northeasterly, northerly, easterly and northerly direction respectively a total distance of 9,735' +/- to a point, said point being the northeasternmost corner of said Ingram Village lands, said point also being on the aforementioned SCUSSD boundary; thence leaving said Ingram Village lands and proceeding by and with said SCUSSD boundary lands in a northeasterly and southeasterly direction a distance of 3,092' +/- to a point, said point being a property corner of lands N/F Daryl, Sr. & Audrey Wegner; thence leaving said SCUSSD boundary and continuing by and with said Wegner lands in a southwesterly, southeasterly, and northeasterly direction respectively a total distance of 670' +/- to a point, said point being the northeasternmost property corner of lands N/F of Harry L. & Jacqueline V. Twyman; thence leaving said Wegner lands and proceeding by and with said Twyman lands in a southeasterly direction a distance of 145 feet to a point, said point being on the northwesterly ROW of Ponder Road; thence proceeding by and with said Ponder Road in a northeasterly direction a distance of 130'+/- to a point said point being on the SCUSSD boundary; thence proceeding by and with said SCUSSD boundary in a generally northeasterly, southeasterly, southwesterly, southeasterly, southwesterly, westerly, southerly, southwesterly, generally southerly, southeasterly, southerly, northwesterly, southerly, westerly, southerly, westerly, generally northerly directions a total distance of 27,219' +/- to a point, said point being a property corner of lands N/F

Liborio-Ellendale LLC, said point also being the southwesternmost property corner of land N/F of CMH Homes Inc.; thence leaving said SCUSSD boundary and proceeding by and with said lands of Liborio-Ellendale LLC in a northwesterly, easterly, northerly, westerly, southwesterly directions a total distance of 7,054' +/- to a point, said point being on the SCUSSD boundary, said point also being a property corner of said Liborio-Ellendale LLC; thence proceeding by and with said SCUSSD boundary in a generally northerly, westerly, northerly, easterly, northerly and northeasterly direction a total distance of 12,547' +/- to a point, said point being that of the **BEGINNING**.

NOTE: The above description has been prepared using Sussex County Tax Map 230-26.00, 27.00, 31.00 and Sussex County property assessment records.

The proposed Ellendale Water District is within these approximate boundaries containing 769.48 acres more or less.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware



ENGINEERING DEPARTMENT

(302) 855-7718 (302) 855-7774 (302) 855-7703 (302) 855-7703 (302) 854-5033 (302) 855-7719 (302) 855-7719 (302) 855-1299





DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

JOSEPH WRIGHT, P.E. ASSISTANT COUNTY ENGINEER

<u>Memorandum</u>

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable George B. Cole, Vice President The Honorable Samuel R. Wilson, Jr. The Honorable I.G. Burton, III The Honorable Robert B. Arlett

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

RE: General Labor & Equipment Contract Change Order No.7

DATE: September 19, 2017

During the Fiscal Year 2017 Budget Process, the Engineering Department introduced the concept of a time and material contract to reduce the capital project backlog. On June 21, 2016, Council awarded the General Labor & Equipment Contract - Project #17-01 to George & Lynch, Inc. Previously, the Engineering Department had requested Change Order(s) No.1 thru No.5 for a total \$1,445,358.00 which were approved by Council, adjusting the Contract for FY 2017 to \$3,543,254.80.

On June 13, 2017, Council authorized the one year extension option to the General Labor & Equipment Contract, allowing for continued project completion and emergency repair services to existing facilities through July 1, 2018. On August 29, 2017, Council awarded change order no. 6 in the amount of \$1,669,669.00 for the construction of all phases of the interconnection with the Lewes Board of Public Works, including the estimated reimbursement amount by the Board of \$804,846.00.

The General Labor & Equipment Contract advertisement outlined pavement rehabilitation, including related storm water improvements and electrical upgrades at the Coastal Airport. In the FY18 budget, a total amount of \$725,000 in funds were provided for paving, storm water improvements and electrical conduit work associated with the electrical vaults 2&3 upgrade project. Now, we would like to request \$100,000 for paving of the apron/tie-down area adjacent to the Taxiway A; \$200,000 for storm water improvements and \$300,000 for electrical conduit work for a total airport related scope of \$600,000. This amount must be supplemented by a future change order pending successful results of the first stage of electrical work under the Runway 4-22 and connection to electrical vault 3.



The General Labor & Equipment Contract advertisement furthermore outlined Wolfe Neck Wastewater Treatment Plant - site work and offsite utility work. The intent for the offsite utility work was to construct interconnections with other wastewater service providers. On August 30, 2016, Council approved such an arrangement with Artesian Wastewater Management Inc. for a Bulk Wastewater Services Agreement. This agreement did not require modification of the either party's underlying DNREC wastewater permit by allowing wastewater to be transmitted and treated under the most cost effective option. Since then, Artesian Wastewater Management Inc. connected the Reserves at Lewes Landing to the County system and the County re-connected Vincent Overlook to the Artesian Wastewater Management's system. Now the County is contemplating to interconnect our transmission system with their Stonewater Creek wastewater treatment plant. The work item is estimated to cost \$96,000 to be completed under the contract.

In addition, we request \$75,000, funded in the FY 18 budget for miscellaneous patching and pavement repairs for legacy sewer installations throughout the entire Sussex service area for a total change order no. 7 to the General Labor & Equipment Contract in the amount of \$771,000.00.



SUSSEX COUNTY CHANGE ORDER REQUEST

A. <u>ADMINISTRATIVE</u>:

1.	Proje	ect Name: FY 18 GENERAL LABOR	R & EQUIPMENT
2.	Suse	sex County Contract No.	17-01
3.	Cha	nge Order No.	7
4.	Date	e Change Order Initiated -	9/13/17
5.	a.	Original Contract Sum	\$4,300,000.00
	b.	Net Change by Previous Change Orders	\$1,669,669.00
	C.	Contract Sum Prior to Change Order	\$5,969,669.00
	d.	Requested Change	\$771,000.00
	e.	Net Change (No. of days)	
	f.	New Contract Amount	\$6,740,669.00
6.	Con	tact Person: <u>Hans Medlarz, P.E.</u>	

Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

- 1. Differing Site Conditions
- 2. Errors and Omissions in Construction Drawings and Specifications
- 3. Changes Instituted by Regulatory Requirements
- 4. Design Change
- 5. Overrun/Underrun in Quantity
 - 6. Factors Affecting Time of Completion

X 7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:

FY 18 budgeted Airport work and interconnection of the County transmission system with Artesian Wastewater Managements' Stonewater Creek Wastewater Treatment Plant.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No No

E. <u>APPROVALS</u>

1. George & Lynch, Project General Contractor

Signature	Date
eignatare	Date

Representative's Name in Block Letters

2. Sussex County Engineer

Signature

Date

3. Sussex County Council President

Signature

Date

FY 18 GENERAL LABOR & EQUIPMENT CONTRACT CHANGE ORDER #7						
DESCRIPTION	COSTS					
Airport Electrical Work	\$300,000.00					
Paving of the Apron/Tie-Down Area Adjacent to Taxiway A	\$100,000.00					
Airport Stormwater Improvements	\$200,000.00					
Miscellaneous Sewer Related Asphalt Paving/Patching	\$75,000.00					
Wolfe Neck Off-Site Utility Interconnection at Stonewater Creek	\$96,000.00					
Total Change Order #7	\$771,000.00					

ENGINEERING DEPARTMENT

ADMINISTRATION	(302)
AIRPORT & INDUSTRIAL PARK	(302)
ENVIRONMENTAL SERVICES	(302)
PUBLIC WORKS	(302)
RECORDS MANAGEMENT	(302)
UTILITY ENGINEERING	(302)
UTILITY PERMITS	(302)
UTILITY PLANNING	(302)
FAX	(302)

302) 855-7718 302) 855-7774 302) 855-7730 302) 855-7703 302) 854-5033 302) 855-7717 302) 855-7719 302) 855-7719 302) 855-7799





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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

JOSEPH WRIGHT, P.E. ASSISTANT COUNTY ENGINEER

<u>Memorandum</u>

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable George B. Cole, Vice President The Honorable Samuel R. Wilson, Jr. The Honorable I.G. Burton, III The Honorable Robert B. Arlett

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

RE: Hazen and Sawyer, P.C. Route 54 Expansion of the Fenwick Island Sanitary Sewer District Exhibit A-3 Additional Engineering Design and Construction Phase Services

DATE: September 19, 2017

On June 3, 2014, County Council awarded (5) year on-call contracts for miscellaneous consultant services to Hazen and Sawyer, P.C., and six other consulting firms. Since then, Council utilized the contract with Hazen and Sawyer for design services on the Route 54 Expansion project and approved two amendments totaling \$192,032.05 in value.

The current amendment, in a "not to exceed" amount of \$16,191.00 covers additional design services for modifications to the alignment, in the vicinity of West Line Road and the western extension in Williamsville, after completion of the original scope of work. The western boundary of the sewer district was further extended after the initial extension and the design needed to accommodate the new service area. Associated design issues with PS 264 also required some engineering analysis. PS 264, located along Williamsville Road in the development of Bay View Estates currently pumps into an existing forcemain along Route 54, but will now tie into the proposed larger gravity sewer along Route 54.







Exhibit A-3

Sussex County Miscellaneous Engineering Services

CONTRACT BETWEEN SUSSEX COUNTY AND HAZEN AND SAWYER

Project 14-10

<u>Rt. 54 Sewer Expansion of the Fenwick Island Sanitary Sewer</u> <u>District</u>

Additional Engineering Design and Construction Phase Services

Scope of Services

The following additional scope of services will be completed in accordance with the original Contract Agreement dated August 13, 2015. The services included herein reflect design modifications to the proposed alignment subsequent to the 100% design, evaluation of Pump Station #264 hydraulics and identifying potential station upgrades to modify station safe capacity, preparation of record drawings, and an allowance for responding to Contractors' questions during construction.

ADDITIONAL SCOPE OF SERVICES

The design, permitting, and bid & award services associated with the Route 54 Sewer Expansion of the Fenwick Island Sanitary Sewer District have been completed to date. The following tasks have been identified as being out of scope and coincide with costs for each item included in Attachment A.

1

Task 1 - Supplemental Alignment Changes Subsequent to 100% Design

A. After 100% design and before bid & award of the project, the County requested modifications to the alignment in the vicinity of West Line Road. This required modifications to the alignment shown on the contract drawings, modifications to paving repair and quantities for bid items, coordination of utility locates with Delmarva in this location, and coordination of a supplemental easement with the County and the





respective landowner. These modifications and coordination items were made and included in the final contract documents.

B. Early in the Construction Phase the County noted portions of the alignment which are required to be adjusted in order to further expand the sewer system and service area to the west. These modifications include adjusting the alignment in front of the existing Church, inclusion of supplemental grinder pump system details, the addition of a force main extension to the west, and the inclusion of additional laterals.

Task 2 - Pump Station #264 Hydraulic Evaluation

The discharge point of Pump Station #264 was modified to discharge along Route 54 as part of the gravity sewer extension and partial force main abandonment. The station hydraulics were reviewed during the Preliminary Engineering Phase and the station safe capacity was determined to be satisfactory at 60% design. Between the 60% and 90% Design Phase, the County requested the gravity sewer extend further along Williamsville Road which again modified the proposed Pump Station #264 force main discharge location. The modification of the discharge location had a relatively large impact on the Pump Station #264 head conditions which increased the safe capacity of Pump Station #264. This increase in safe capacity would potentially have adverse effects on the downstream gravity sewer available capacity with the potential for surcharging a downstream manhole.

Hazen will review the Pump Station #264 hydraulics and the downstream gravity sewer available capacity and provide the County with options to minimize the peak flow from Pump Station #264 via email. Based on this evaluation the County can determine which option and the timeframe to complete the upgrades associated with Pump Station #264 to mitigate the future potential for surcharging the downstream gravity sewer. The proposed options will be relayed to the County via email.

Task 3 - Redlines Associated with Record Drawings

Preparation of record drawing preparation upon completion of construction based on contractor/construction management/inspector red lines.

Task 4 - RFI's and Miscellaneous Construction Services

An additional allowance for response to contractor questions and further modifications to the contract documents as needed by the County.

2

Hazen



ASSUMPTIONS

The following scope assumptions serve as the basis for the scope of work and the estimated fee for this project.

- 1. Inspection services, submittal reviews, and meeting requests are not included as part of the scope of work herein.
- Hazen will continue to update drawings and respond to County inquiries as needed until the cost for services has been completely utilized or the County has directed Hazen to stop work.
- Hazen will evaluate potential options the County can implement to decrease the peak flow of Pump Station #264. Hazen will not provide design services associated with upgrades to Pump Station #264.

DELIVERABLES

- Email recommendation of the options available to reduce flow capacity out of the Pump Station #264.
- 2. Record Drawings
- 3. Response to RFI's as requested by the County.

SCHEDULE

The scope of services herein will be started as needed by the County and will be completed in a timeframe on an as agreed upon basis.

FEE

We are requesting additional compensation for these services will be on a time and materials basis not to exceed \$16,191.00 ([Original Contract amount including Scope Amendment #1 of \$192,032.05] Total Contract Amount will be amended to \$208,223.05). Note that the hourly rates and fees in the attached A-3 are in accordance with our original proposal and contract. The burdened hourly rates used are in accordance with our Miscellaneous Engineering Services Contract. Hazen and Sawyer will invoice the County, based on the burdened salary rates provided in the Cost Estimate Table. Travel expenses will be billed at actual cost incurred. Mileage will be billed at the current County mileage reimbursement rate for the current year the travel date occurred. Sub-consultant utilized on this project will be billed as a direct cost. Other direct costs will be billed in accordance with the Agreement Between Owner and Engineer for Professional Services Dated August 2015.





IN WITNESS WHEREOF, the parties hereunto have caused this Exhibit A-3 to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY: SUSSEX COUNTY

Michael Vincent President, Sussex County Council

Date

4

PREVIOUSLY APPROVED FORM

ATTEST:

Robin Griffith Clerk of the Sussex County Council

FOR THE ENGINEER: HAZEN AND SAWYER Jøseph C. Sowinski, PE Senior Associate WITNES

EXHIBIT A-3 SUSSEX COUNTY ENGINEERING DEPARTMENT

ROUTE 54 SEWER EXPANSION OF THE FENWICK ISLAND SANITARY SEWER DISTRICT Additional Engineering Design and Construction Phase Services MISCELLANEOUS ENGINEERING SERVICES CONTRACT

		Hazen and Sawyer										_
Task	Senior Associate / Associate	Senior Principal Engineer	Principal Engineer	Designer	CADD Technician	Clerical	Total Labor Hours		Total Direct Labor Fee	Direct Cost Expenses		Total Fee
Hourly Fee:		\$141	\$113	\$99	\$70	\$56	1 - 11					
Scope Amendment Services			1				1	1				
1. Supplemental Alignment Changes Subsequent to 100% Design (Items A and B)	6	$ _{i} = \langle \langle \langle \rangle \rangle$	40	1.1	64	1.	110	\$	10,098		\$	10,098.00
2. Pump Station #264 Hydraulic Evaluation		10.01	8	1	16	T	26	\$	2,390		\$	2,390.00
3. Redlines Associated with Record Drawings		C - L	2		8		11	\$	969		\$	969.00
4. RFI's and Miscellaneous Construction Services	2		16		8	_	26	\$	2,734		\$	2,734.00
Total	11		66		96		173	\$	16,191	s .	5	16,191.00



ENGINEERING DEPARTMENT

ADMINISTRATION AIRPORT & INDUSTRIAL PARK ENVIRONMENTAL SERVICES PUBLIC WORKS RECORDS MANAGEMENT UTILITY ENGINEERING UTILITY PERMITS UTILITY PLANNING FAX



Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

JOSEPH WRIGHT, P.E. ASSISTANT COUNTY ENGINEER

Memorandum

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable George B. Cole, Vice President The Honorable Samuel R. Wilson, Jr. The Honorable I.G. Burton, III The Honorable Robert B. Arlett

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

(302) 855-7718

(302) 855-7774

(302) 855-7730

(302) 855-7703

(302) 854-5033

(302) 855-7717

(302) 855-7719

(302) 855-1299

(302) 855-7799

RE: WOLFE NECK REGIONAL WASTEWATER FACILITY DELIVERY OF SEED AND CHEMICAL PROJECT NO. 18-06 BID AWARD

DATE: September 19, 2017

At the Wolfe Neck Regional Wastewater Facility the County spray irrigates treated wastewater effluent on agricultural lands owned by the State of Delaware under a lease arrangement. Upon the County's request, the State has terminated the farm lease portion of the state owned properties at the facility. Subsequently, the Environmental Services employees have assumed farming the facilities' irrigated land in order to reduce the loss of irrigation days due to scheduling conflicts. Costs for the purchase and delivery of seed and chemical to properly farm the land meets the procurement threshold for material purchases. Therefore, a contract was prepared to solicit public bids in August 2017.

Invitations to bid were advertised in two (2) newspapers, viewable on the Sussex County website, and directly sent to businesses on our supplier list. On September 12, 2017, bids for the Delivery of Seed and Chemical Project were opened. Three (3) bids were received.

The Engineering Department recommends award of the project to the low bidder, Growmark FS, LLC, in the total amount of \$81,766.46.00. The low bid aligns with estimated costs and is covered in the FY 18 budget.



ENGINEERING DEPARTMENT

ADMINISTRATION
AIRPORT & INDUSTRIAL PARK
ENVIRONMENTAL SERVICES
PUBLIC WORKS
RECORDS MANAGEMENT
UTILITY ENGINEERING
UTILITY PERMITS
UTILITY PLANNING
FAX







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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

JOSEPH WRIGHT, P.E. ASSISTANT COUNTY ENGINEER

DELIVERY OF SEED AND CHEMICAL PROJECT NO. 18-06

BIDDER	BID AMOUNT
Growmark FS, LLC	\$81,766.46
Crop Production Services*	\$95,056.50
Pinnacle Ag*	\$98,615.00

*Technically non-responsive



ENGINEERING DEPARTMENT

ADMINISTRATION AIRPORT & INDUSTRIAL PARK ENVIRONMENTAL SERVICES PUBLIC WORKS RECORDS MANAGEMENT UTILITY ENGINEERING UTILITY PERMITS UTILITY PLANNING FAX (302) 855-7718 (302) 855-7774 (302) 855-7730 (302) 855-7703 (302) 854-5033 (302) 855-7717 (302) 855-7719 (302) 855-1299 (302) 855-7799



Sussex County

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HANS M. MEDLARZ, P.E. COUNTY ENGINEER

JOSEPH WRIGHT, P.E. ASSISTANT COUNTY ENGINEER

Memorandum

TO: Sussex County Council The Honorable Michael H. Vincent, President The Honorable George B. Cole, Vice President The Honorable I.G. Burton, III The Honorable Robert B. Arlett The Honorable Samuel R. Wilson, Jr.

FROM: Patti Deptula, Director of Special Projects PLD

RE: James Farm Ecological Preserve Occupancy Agreement with Delaware Center for the Inland Bays

DATE: September 19, 2017

The Delaware Center for the Inland Bays (CIB), is seeking a long-term extension for the Occupancy Agreement they have in place with Sussex County, for the James Farm Ecological Preserve located on Sussex County Tax Map 1-34-9 Parcel 93.01, on Cedar Neck Road.

Sussex County and the CIB have enjoyed a long-lasting relationship with the James Farm Preserve, beginning in 1998 with their first occupancy agreement. The CIB has committed to continuing this relationship. In 2014, a Master Plan was completed, detailing specific improvements to be constructed at the site, to accommodate the expansive growth in site visitation being experienced. The design, engineering, and permitting work for the construction of Master Plan Phase I improvements, was completed in August 2017. Currently, the CIB is seeking funding from public and private entities to construct these improvements. Some potential funding sources prefer seeing a long-term agreement be in place for assurance the CIB will continue to occupy the site.

A recommendation for a twenty (20) year term occupancy agreement, with automatic renewal for two subsequent five (5) year terms is being made.

Thank you.



RESOLUTION

TO SUBMIT A REQUEST TO THE DELAWARE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL'S (DNREC) OUTDOOR RECREATION, PARKS AND TRAILS (ORPT) PROGRAM FOR A 50% MATCHING GRANT TO FINANCE THE PHASE I CONSTRUCTION OF THE JAMES FARM ECOLOGICAL PRESERVE MASTER PLAN

WHEREAS, in 1998, Sussex County began leasing the property, known as the James Farm Ecological Preserve, to the Delaware Center for the Inland Bays, a non-profit organization, to provide property management, offer educational opportunities, and allow public outreach, to foster the wise use and enhancement of the Inland Bays watershed; and

WHEREAS, in 2014, Sussex County agreed with the Delaware Center for the Inland Bays for the need to complete the James Farm Ecological Preserve Master Plan, to detail specific site improvements to help accommodate the expansive growth in the number of visitors occurring at the Preserve; and

WHEREAS, in 2015 Sussex County, allocated \$37,500.00 to allow the Delaware Center for the Inland Bays to apply for a DNREC matching ORPT Grant in the amount of \$37,500.00, to complete the design, engineering and permitting work, for the Phase I Construction of the James Farm Ecological Preserve Master Plan; and

WHEREAS, the DNREC ORPT Grant was awarded allowing Sussex County and the Delaware Center for the Inland Bays to contract with Century Engineering, for completion of the design, engineering and permitting work for the Phase I Construction of the James Farm Ecological Preserve Master Plan; and

WHEREAS, the design, engineering and permitting work for Phase I Construction of the James Farm Ecological Preserve Master Plan has been completed; and

WHEREAS, in 2017, Sussex County allocated \$65,000.00 in their FY18 Budget towards the Phase I Construction of the James Farm Ecological Preserve Master Plan; and

WHEREAS, the Delaware Center for the Inland Bays will provide \$20,000.00 in funding towards the Phase I Construction of the James Farm Ecological Preserve Master Plan; and

NOW, THEREFORE,

BE IT RESOLVED THAT the Sussex County Council of Sussex County, Delaware hereby acknowledges its support of the ongoing operations and maintenance of the James Farm Ecological Preserve; Approves and acknowledges the Engineering Department's application submission on behalf of the Delaware Center for the Inland Bays, for a matching ORPT Grant to the DNREC, in the amount of \$85,000.00, for assistance in funding the Phase 1 Construction of the James Farm Ecological Preserve Master Plan; and Furthermore designates the Delaware Center for the Inland Bays' Program Manager, Bob Collins, to serve as the ORPT Grant's Project Manager, in conjunction with the Engineering Department, if Grant is awarded.

September 19, 2017

RESOLUTION NO. R

A RESOLUTION ESTABLISHING

MOUNT JOY OAK STREET STREETLIGHTING DISTRICT

WHEREAS, the attached election results certify that the Mount Joy Proposed Streetlighting District was approved by a majority vote in an election held on Thursday, August 31, 2017; and

WHEREAS, Sussex County Code, Chapter 95, requires the County Council to issue a determination establishing the District in the form of a Resolution.

NOW THEREFORE,

BE IT RESOLVED that the Sussex County Council hereby determines that the eligible voters of the Mount Joy Oak Street Proposed Streetlighting District have approved the creation of said District; that the properties included in the District are shown on Sussex County Tax Map 2-34-21 Parcels 67 through 71; that the Mount Joy Oak Street Streetlighting District is hereby declared to be considered validly constituted under the provisions of Sussex County Code, Chapter 95; and that the Director of Finance is authorized and directed to bill the owners of all assessable structures within the said District in accordance with Sussex County Code, Chapter 95.

MOUNT JOY OAK STREET PROPOSED STREETLIGHTING DISTRICT ELECTION RESULTS

VOTES CAST IN PERSON:

Number voting YES in SUPPORT of the Streetlighting District	
Number voting NO in OPPOSITION of the Streetlighting District	00

VOTES CAST BY ABSENTEE BALLOT:

Number voting YES in SUPPORT of the Streetlighting District	04
Number voting NO in OPPOSITION of the Streetlighting District	03

GRAND TOTAL:

Number voting YES in SUPPORT of the Streetlighting District	12
Number voting NO in OPPOSITION of the Streetlighting District	03

I hereby certify that the above numbers indicate the results of all ballots cast: 1) by Absentee Ballot; and 2) those cast between the hours of 12 Noon and 6:00 p.m., on Thursday, August 31, 2017, at the Mount Joy Oak Street Proposed Streetlighting District Election.

la

Patricia Lowe Deptula Director of Special Projects







Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Todd Lawson, County Administrator, Everett Moore, County Attorney, Vince Robertson, Assistant County Attorney, and Hans Medlarz, County Engineer

Date: September 9, 2017

RE: Request for Time Extension - CZ 1747 Oceanside Vista (fka The Preserve at Cedar Landing)

On August 29 2017, the Planning and Zoning Department received a request for an extension for application CZ 1747 Oceanside Vista (fka The Preserve at Cedar Landing). The Change of Zone application was granted approval by the County Council on July 22, 2014 for a MR-RPC for the construction of 45 single family dwellings. The property is located on the west side of Cave Neck Rd. north of Yacht Basin Rd.

This request has been submitted since Ordinance No. 2428, which provides a sunset provision to allow the County Council (Council) to approve an extension of time period as provided in Chapter 99 Article VIII Section 99-40. The Council may grant a time extension for up to six (6) months pursuant to 99-40F based on the following:

- 1) Prior to the expiration of its current approval, any applicant holding a currently valid approval as set forth in 99-40F may request an extension up to six (6) months for the validity of said approval. The six (6) month period shall commence upon the date of expiration of the current approval. Such a request must be in writing and delivered to the Director on or before the expiration date of its current approval. At a minimum, the written request must include the following information:
 - (a) A schedule or plan for the project describing the steps that have been completed through the date of the extension request and describing the remaining steps to be completed. For any steps that remain outstanding, the applicant is to provide the anticipated time frame for completing those remaining steps.
 - (b) A detailed explanation of the reasons in support of the applicant's request for the time extension. Applicant is to include an explanation of whether such reasons were within the applicant's reasonable control. Example of reasons beyond the applicant's reasonable control, include but are not limited to, undue delays in receiving regulatory approvals, litigation affecting the progression of the project, third party economic restrictions of an extraordinary or unreasonable nature, or delays caused by significant medical or health issues impacting applicant's key stakeholders.



(c) For subdivisions with recorded final plats that are valid in accordance with 99-11 and 99-40 a specific schedule and plan demonstrating that the improvements on the subdivision plat will be "substantially constructed" within six (6) months of the expiration of the current approval.

The following is the status of agency approvals. DelDOT approval is valid through December 31, 2018. Sussex County Engineering Department Division of Public Works is valid through March 17, 2019. The applicant has approval from the Office of the State Fire Marshal. The applicant is working finalizing the fee-in-lieu with DNREC and the Sussex Conservation District regarding stormwater management. They are awaiting re-approval from the Delaware Office of Drinking Water and final site plan approval from the Planning and Zoning Commission.

It is possible for the project to be substantially underway within the next 6 months. The Council may grant a time extension for an additional six (6) months so that the project can proceed with construction and establishing that they have the project substantially underway prior to the termination of the six (6) month time extension, if granted.

Staff notes that this application was associated with a Conditional Use (CU 1986). The Conditional Use application has expired. The applicant will be resubmitting a new application for the Conditional Use.

If the Council agrees, there should be a motion that based upon the authority granted to the Council by Ordinance No. 2428 and based upon compliance with the requirements of the referenced Ordinance, supporting documentation, and the recommendation of the Director of Planning and Zoning that the Change of Zone application, CZ 1747 Oceanside Vista (fka The Preserve at Cedar Landing) shall be granted a six (6) month time extension until March 11, 2018, which is six (6) months from September 11, 2017, the original termination date for the subdivision.



August 25, 2017

Janelle Cornwell, AICP Planning & Zoning Director Sussex County Planning & Zoning Department 2 The Circle Georgetown, DE 19947

Re: Sussex County Tax Map 134-9.00-21.00 Oceanside Vista (fka - The Preserve at Cedar Landing) CZ - MR/RPC 1747 & C/U 1986

Dear Janelle,

Land Tech Land Planning, LLC represents Blue Water Development Corporation, the current owner of the above referenced tract of land now known as Oceanside Vista.

On July 22, 2014, the Sussex County Council approved CU #1986 with 12 conditions and approved CZ #1747 MR/RPC with 13 conditions (see attached 08-06-2014 Abbott letters).

On September 11, 2014, the Sussex County Planning & Zoning Commission granted preliminary site plan approval to both of these applications (see attached 09-12-2014 Abbott letter). As discussed in your office on August 23, 2017, the period of validity for CU #1986 is three (3) years from July 22, 2014 which expired on July 22, 2017 (115-174). The period of validity for CZ #1747 MR/RPC is three (3) years from September 11, 2014 which will expire on September 11, 2017 (115-218 F & 99-9 B).

In conformance with the Sussex County Zoning Code 115-218 "Procedure for RPC District site plan approval", an extension of the Preliminary Site Plan approval time period may be sought in accordance with Subdivision Code Section 99-40F. Please accept this formal written request for <u>an extension of Preliminary Site Plan approval for six (6)</u> <u>months</u> dated prior to the expiration of the current CZ #1747 MR/RPC for the following reasons.

Steps completed to date for CZ #1747 MR/RPC Final Site Plan approval:

- 1. Approved Landscape Buffer Plan by Delaware Department of Agriculture dated April 14, 2015 (copy attached) no expiration.
- 2. Approved Fire Protection Plan Site, by the Office of State Fire Marshal dated July 7, 2015 (copy attached) no expiration.
- 3. Approved subdivision name by Sussex County 911 Addressing and GIS Services dated July 23, 2015 (copy attached) no expiration.
- 4. Approved street names by Sussex County 911 Addressing and GIS Services dated July 23, 2015 (copy attached) no expiration.

Janelle Cornwell, AICP Planning & Zoning Director Oceanside Vista Page: 2 August 25, 2017

- 5. Letter of No Objection to Recordation by DelDOT dated December 31, 2015 (copy attached) expiration date is December 31, 2020.
- 6. Entrance approval letter from DelDOT dated December 31, 2015 (copy attached) expiration date is December 31, 2018.
- 7. Letter from Indian River School District NOT requiring a bus shelter dated February 25, 2016 (copy attached) no expiration.
- 8. Approved private subdivision streets and sanitary sewer collection and transmission system by the Director of Public Works within the Sussex County Engineering Department dated March 17, 2016 (copy attached) expiration date is March 17, 2019.
- 9. Approval of potable and fire protection water distribution system design by Sussex Shores Water Company dated April 22, 2016 (copy attached) no expiration.

Remaining steps leading to Final Site Plan approval for CZ # 1747:

- 1. Finalize the fee-in-lieu payment schedule with DNREC allowing issuance of the Sediment Control & Stormwater Management approval by the Sussex Conservation District Anticipated resolution on or before October 31, 2017.
- Addressing Planning and Zoning Office Final Site Plan review requirements for the RPC (CZ 1747) dated March 5, 2016 (copy attached) – To be completed and submitted on or before October 31, 2017.
- Re-approval of the potable and fire protection water distribution system design by the Delaware Office of Drinking Water (copy attached) expiration is April 27, 2017. The confirmation of re- approval will be submitted on or before October 31, 2017.
- 4. Sussex County Planning & Zoning Commission Final Site Plan application filed upon completion of 1, 2 & 3 above.

Reasons in support of the request for time extension:

As we discussed at our meeting on August 23rd, the single roadblock to developing the entire site is the stormwater management design prepared in strict accordance with the 2014 SWM regulations. <u>The SWM design following the 2014 regulations is not economically feasible to build.</u> The 2014 DNREC design requirements resulted in the need for nearly one million dollars of imported fill material in addition to requiring extensive underground piping and structural infiltration practices to meet the minimum SWM regulations.

The only outstanding issue needed to finalize the 2014 design for SWM approval from the Sussex Conservation District is the payment of the required fee-in-lieu which exceeds \$110,000. We have formally asked DNREC to issue the final SWM approval requiring the fee-in-lieu be due at the time of construction and not at the time of SWM plan approval. The fee-in-lieu payment schedule and SCD plan approval matter is expected be resolved within +/- six (6) weeks (allowing 2 weeks for a DNREC fee-in-lieu response

Janelle Cornwell, AICP Planning & Zoning Director Oceanside Vista Page: 3 August 25, 2017

and then 30 additional days for SCD to process the final plan approvals).

A time extension beyond September 11, 2017 is required to resolve the above issues with DNREC leading to a final SWM approval from the Sussex Conservation District. We do not anticipate the need for the entire six (6) month time extension. However, we can not predict regulatory agency workloads, vacations etc. requiring additional time to accomplish their work.

Within the six (6) month extension period, all necessary regulatory steps leading to a Final Site Plan/Record Plat for the RPC will be accomplished. The Final RPC Record Plan will then have five 5 years within which to achieve substantial construction (99-40 A).

Brief engineering explanation for the increased site construction expense

The 2014 SWM regulations as adopted by DNREC, relied on infiltration of stormwater and reduction of stormwater volume as a pre-requisite to meet the regulations. To infiltrate the required stormwater volume, practices such as infiltration, bio-retention, or underground chambers are typically necessary. To implement those practices, two critical elements are necessary. First, the practice must be 2.0 ft. above the Seasonal High Water Table and soils must meet the minimum infiltrative capacity required by DNREC. The existing site conditions only supported this criteria in the upper portion of the site, or approximately half the site, resulting in the need to manage the entire project's stormwater in the upper portion of the site resulting in excessive fills to accommodate storm drain and outfall pipe cover. This condition, along with shallow groundwater, and the requirement of infiltration practices was a primary driver in terms of fill for the development.

The DNREC Regulatory Advisory Committee (RAC) convened on 4/2016 to re-evaluate the 2014 SWM regulations. <u>Senate Bill 254 was passed on</u> 6/24/2016 which allowed the use of 48 hour extended detention in addition to infiltrative practices. The final guidance regarding the implementation of 48 hour extended detention was determined on 3/2017, and regulation refinement is still on-going.

As discussed at our recent meeting, the C/U portion of the Oceanside Vista development has lapsed and Land Tech Land Planning will be filing the necessary application and support documents for a new conditional use application immediately. The new application site plan will be identical to the site plan previously approved as C/U #1986. It is understood that this new C/U application may not have the P&Z and County Council public hearings scheduled until early 2018 due to the number of current zoning applications. Janelle Cornwell, AICP Planning & Zoning Director Oceanside Vista Page: 4 August 25, 2017

We appreciate you forwarding a recommendation for CZ # 1747 Preliminary Site Plan approval time extension to the Sussex County Council after consultation with and input from other County departments or public agencies as you deem necessary. As always, if you should have questions regarding any aspect of this project, please do not hesitate to contact our office.

Sincerely, Land Tech Land Planning, LL effrey A Clark, effc@lanciechlic.com

file: oceansideextension.ltr enclosures: noted cc: none

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN IRWIN G. BURTON, III MICHAEL B. JOHNSON MARTIN L. ROSS RODNEY SMITH



Sussex County

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

LAWRENCE B. LANK DIRECTOR

August 6, 2014

Castaways Bethany Beach, LLC 9428 Stephen Decatur Highway Berlin, MD 21811

RE: CU #1986 The Preserve at Cedar Pines Tax Map 1-34-9.00-21.00

To Whom It May Concern:

Please be advised that on July 22, 2014 the Sussex County Council approved the above referenced Conditional Use application with 12 conditions of approval. This approval is valid for a three-year period. The conditions of this approval are:

- A. There shall be no more than 30 units within the Conditional Use area.
- B. The Applicant shall form a homeowners' association responsible for the perpetual maintenance of streets, roads, any buffers, storm water management facilities, erosion and sedimentation control facilities and other common areas.
- C. The storm water management system shall meet or exceed the requirements of the State and County. It shall be constructed using Best Management Practices.
- D. All entrances shall comply with all of DelDOT's requirements, and an area for a school bus stop shall be established. The location of the school bus stop shall be coordinated with the local school district.
- E. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- F. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all storm water management areas and erosion and sedimentation control facilities.
- G. A 20 foot forested Agricultural buffer shall be shown along the perimeter of the entire residential development, including the area covered by Change of Zone #1747. The Final Site Plan shall also contain a landscape plan for all of the buffer areas, showing all of the landscaping and vegetation to be included in the buffer area.
- H. No wetlands shall be included within any lots.
- I. As proffered by the Applicant, the developer shall construct all of the recreational amenities no later than the issuance of the 50th residential building permit for the entire project, including the RPC portion of the development covered by CZ #1747.
- J. Construction, site work, grading and deliveries of construction materials, landscaping materials and fill on, off or to the property shall occur Monday through Saturday between the hours of 8:00 a.m. and 6:00 p.m.



- K. This Preliminary Approval is contingent upon the Applicant submitting a revised Preliminary Site Plan either depicting or noting the conditions of this approval on it. The Staff shall approve the revised Plan upon confirmation that the Conditions of Approval have been depicted or noted on it.
- L. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Upon adding the conditions of approval to the site plan, please provide this office with 10 copies of the revised preliminary plan for approval. Final site plan approval shall be subject to the review and approval of the Planning and Zoning Commission upon receipt of all agency approvals. The following approvals are required: DelDOT, Department of Agricultural, DNREC, Indian River School District, Office of the State Fire Marshal, Sussex Conservation District, Sussex County Engineering and Sussex County Mapping and Addressing.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Spane abbott

Shane Abbott Assistant Director

cc: James Fuqua, Esquire Jeff Clark, Land Tech Land Planning, LLC

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN IRWIN G. BURTON, III MICHAEL B. JOHNSON MARTIN L. ROSS RODNEY SMITH



Sussex County

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

DIRECTOR

August 6, 2014

Castaways Bethany Beach, LLC 9428 Stephen Decatur Highway Berlin, MD 21811

RE: CZ #1747 MR/RPC The Preserve at Cedar Pines Tax Map 1-34-9.00-21.00

To Whom It May Concern:

Please be advised that on July 22, 2014 the Sussex County Council approved the above referenced zoning change with 13 conditions of approval. This approval is valid for a three-year period. The conditions of this approval are:

- A. There shall be no more than 45 lots within the RPC.
- B. The Applicant shall form a homeowners' association responsible for the perpetual maintenance of streets, roads, any buffers, storm water management facilities, erosion and sedimentation control facilities and other common areas.
- C. The storm water management system shall meet or exceed the requirements of the State and County. It shall be constructed using Best Management Practices.
- D. All entrances shall comply with all of DelDOT's requirements, and an area for a school bus stop shall be established. The location of the school bus stop shall be coordinated with the local school district.
- E. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- F. The Final Site Plan shall contain the approval of the Sussex Conservation District for the design and location of all storm water management areas and erosion and sedimentation control facilities.
- G. A 20 foot forested Agricultural buffer shall be shown along the perimeter of the entire residential development, including the area covered by Conditional Use #1986. The Final Site Plan shall also contain a landscape plan for all of the buffer areas, showing all of the landscaping and vegetation to be included in the buffer area.
- H. No wetlands shall be included within any lots.
- I. The subdivision shall be served by Sussex County sewer.
- J. As proffered by the Applicant, the developer shall construct all of the recreational amenities no later than the issuance of the 50th residential building permit for the entire project, including Conditional Use #1986.



- K. Construction, site work, grading and deliveries of construction materials, landscaping materials and fill on, off or to the property shall occur Monday through Saturday between the hours of 8:00 a.m. and 6:00 p.m.
- L. This Preliminary Approval is contingent upon the Applicant submitting a revised Preliminary Site Plan either depicting or noting the conditions of this approval on it. The Staff shall approve the revised Plan upon confirmation that the Conditions of Approval have been depicted or noted on it.
- M. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

Upon adding the conditions of approval to the site plan, please provide this office with 10 copies of the revised preliminary plan for approval. Final site plan approval shall be subject to the review and approval of the Planning and Zoning Commission upon receipt of all agency approvais. The following approvals are required: DelDOT, Department of Agricultural, DNREC, Indian River School District, Office of the State Fire Marshal, Sussex Conservation District, Sussex County Engineering and Sussex County Mapping and Addressing.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

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Shane Abbott Assistant Director

cc: James Fuqua, Esquire Jeff Clark, Land Tech Land Planning, LLC

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN IRWIN G. BURTON. III MICHAEL B. JOHNSON MARTIN L. ROSS RODNEY SMITH



Sussex County

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

LAWRENCE B. LANK DIRECTOR

September 12, 2014

Jeffrey A. Clark, RLA Land Tech Land Planning, LLC 118 Atlantic Avenue; Suite 202 Ocean View, DE 19970

RE: The Preserve at Cedar Landing CZ #1747 Site Plan – Road 357 CU #1986 Site Plan – Road 357

Dear Mr. Clark,

Please be advised that on September 11, 2014 the Sussex County Planning and Zoning Commission granted preliminary site plan approval for the above referenced project. Enclosed please find six (6) copies of the approved preliminary site plan for your use.

Final site plan approval for both projects shall be subject to the review and approval of the Planning and Zoning Commission upon receipt of all agency approvals. The following approvals are required for these projects: DelDOT, Department of Agriculture, DNREC, Indian River School District, Office of the State Fire Marshal, Sussex Conservation District, Sussex County Engineering Department and Sussex County Mapping and Addressing.

Should you have any questions, please do not hesitate to contact this office.

Sincerely,

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Shane Abbott Assistant Director

cc: James A. Fuqua, Jr., Esquire Michael Brady, Division of Public Works





ED KEE Secretary E. AUSTIN SHORT Deputy Secretary STATE OF DELAWARE DEPARTMENT OF ÅGRICULTURE 2320 South DuPont Highway Dover, Delaware 19901 dda.delaware.gov

TELEPHONE (302) 698-4500 TOLL FREE (800) 282-8685 FAX (302) 697-6287

April 14, 2015

Jeffery Clark RLA Land Tech Land Planning, LLC 118 Atlantic Avenue, Suite 202 Ocean View, Delaware 19970

Subject: The Preserve at Cedar Pines

Dear Mr. Clark,

Thank you for submitting site plans on behalf of Land Tech Land Planning, LLC for the Preserve at Cedar Pines. The plans submitted to our section dated February, 3 2015 are sufficient to meet the Sussex County Planning and Zoning Forested Buffer Ordinance.

The Delaware Forest Service has no further comment regarding the Preserve at Cedar Pines site plans dated February 3, 2015. Final approval of these plans will come from the Sussex County Planning and Zoning Commission.

If you have any questions please feel free to contact me at (302) 659-6704 or email me at kesha.braunskill@state.de.us

Sincerely,

OND

Kesha Braunskill Urban Forestry Program Delaware Forest Service



OFFICE OF STATE FIRE MARSHAL

2307 MacArthur Road New Castle, DE 19720-2426 Phone: 302-323-5365 Fax: 302-323-5366 Technical Services 1537 Chestnut Grove Road Dover, DE 19904-9610 Phone: 302-739-4394 Fax: 302-739-3696

22705 Park Avenue Georgelown, DE 19947 Phone: 302-856-5298 Fax: 302-856-5800



FIRE PROTECTION PLAN REVIEW REPORT

Plan Review Number 2015-04-0051-MJS-02 Review Status APPROVED AS SUBMITTED Tax Parcel Number <u>1-34-9,00-21.00</u> Review Date <u>07/07/2015</u>

PROJECT

THE PRESERVES AT CEDAR PINES

Phase# INTER RT 357 & 358 OCEAN VIEW, DE 19970 Building #

Unit # 75 UNITS

SCOPE OF PROJECT

Project Type MJS Major Site	
Number of Stories	Occupant Load
Square Footage	Occupancy Code <u>9602</u>
Construction Class	Fire District <u>84</u>

APPLICANT	OWNER
BECKER MORGAN GROUP INC	CASTAWAYS BETHANY BEACH LLC
309 S GOVERNORS AVE	9428 STEPHEN DECATUR HWY
DOVER, DE 19904	BERLIN, MD 21811

This office has reviewed the plans and specifications of the above described project for compliance with the Delaware State Fire Prevention Regulations, in effect as of the date of this review.

A Review Status of "Approved as Submitted" or "Not Approved as Submitted" must comply with the provisions of the attached Plan Review Comments.

Any Conditional Approval does not relieve the Applicant, Owner, Engineer, Contractor, nor their representatives from their responsibility to comply with the plan review comments and the applicable provisions of the Delaware State Fire Prevention Regulations in the construction, installation and/or completion of the project as reviewed by this Agency.

This Plan Review Project was prepared by:

DENNETT PRIDGEON, SR FIRE PROTECTION SPECIALIST

FIRE PROTECTION PLAN REVIEW COMMENTS

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Project Name THE PRESERVES AT CEDAR PINES		
	iew Number 2015-04-0051-MJS-02	Tax Parcel Number <u>1-34-9.00-21.00</u>
Rø	view Status APPROVED AS SUBMITTED	Review Date 07/07/2015
	PROJECT	COMMENTS
1002	Regulations (DSFPR) Effective Decen Regulations are available on our web not reviewed for compliance with the	r the provisions of the Delaware State Fire Prevention mber 11, 2012. The current Delaware State Fire Prevention site at www.statefiremarshal.delaware.gov. These plans were Americans with Disabilities Act (ADA). These plans were not al, Municipal, nor County Building Codes.
1040	apply: Main Sizes: 6" minimum. Minir	herefore the following water for fire protection requirements num Capacity: 1,000 gpm @ 20 psi residual for 1 hour duration. FPR Regulation 702, Chapter 6, Section 3)
1408	are not readily accessible from streets	nnel may be called upon to provide emergency services, which s, shall be provided with suitable gates, access roads, and fire ises are accessible to emergency apparatus. (DSFPR
1405	access roadways shall be constructed requirements pursuant to the Delawar roadways. All access roadways shall b traffic and 14 feet clear width for one-w measured from the edge of parking sp	ilize access roadways to reach designated fire lanes, such to meet the minimum engineering specifications and/or e Department of Transportation or local jurisdictions for paved be paved and be a minimum of 20 feet clear width for two-way way traffic. The paved width of access roadway shall be aces, or face of curb for vertical curb and back of curb for if there is no curbing. (DSFPR Regulation 705, Chapter 5,
1090	705, Chapter 5, Section 4.2)	ss shall be in accordance with Table 5-2. (DSFPR Regulation
		ents shall include the required Percent of Fire Lane Access egulation 705, Chapter 5, Section 4.5.2).
1092		building that is accessible by emergency services personnel apable of supporting fire ground operations. (DSFPR I.1).
	with a maximum slope of ten percent (transformers, etc.) shall be permitted w	be 15 feet measured from the face of the building at grade 10%). Plantings and utility services (includes condenser units, vithin the perimeter access, provided they do not interfere with erations. (DSFPR Regulation 705, Chapter 5, Sections 3.5

Project N	ame THE PRESERVES AT CEDAR PINES
Plan Review Nur	nber <u>2015-04-0051-MJS-02</u> Tax Parcel Number <u>1-34-9.00-21.00</u>
Review St	atus APPROVED AS SUBMITTED Review Date 07/07/2015
	PROJECT COMMENTS
	If a physical barrier (fence, pond, steep slope, etc) prevents access, that portion of the building perimeter shall not be included in the calculation of Percent of Perimeter Access. (DSFPR Regulation 705, Chapter 5, Sections 3.5.1 and 4.5.1).
1093	In the case of one and two-family dwellings emergency service access shall be provided in such a manner so that emergency apparatus will be able to locate within 100 feet from the street to the primary entrance. Where alleys are provided, pumpers shall be able to access all portions of the alley without strict restrictions for entrance radii. (DSFPR Regulation 705, Chapter 5, Sections 2.2 and 2.2.1)
1415	Fire Department access shall be provided to all otherwise inaccessible gated communities, subdivisions, developments, gated commercial properties or property by any other name through the use of a system or device as required by the Delaware State Fire Prevention Regulations and approved by the Office of the State Fire Marshal after consultation with the local Fire Chief. (DSFPI Regulation 705, Chapter 2, Section 2.6.2)
	Please provide specifications for the device. Include how the system works, where the device will b located, and a letter from the Fire Chief accepting the layout.
	IF ENTRY GATES ARE ADDED
1420	All fire hydrants shall be marked and identified in accordance with DSFPR Regulation 705, Chapter 6, Section 2.0.
1119	All proposed fire hydrants and water mains shall be installed in accordance with the most current edition of the Delaware State Fire Prevention Regulations. (DSFPR Regulation 702, Chapter 6 & 7)
1130	Provide a water flow test on the subdivision hydrant(s) once they have been installed, and before they are placed into service. Results are to be forwarded to this Agency for review.
1132	Fire hydrants shall be color coded in accordance with the DSFPR Regulation 703, Chapter 3, Section 4. This includes both color coding the bonnet and 2" reflective tape around the barrel under the top flange.
1232	All threads provided for fire department connections, to sprinkler systems, standpipes, yard hydrants or any other fire hose connections shall be uniform to those used by the fire department in whose district they are located. (DSFPR Regulation 703, Chapter 1, Section 1.5)

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Project Name THE PRESERVES AT CEDAR PINES			
	ew Number 2015-04-0051-MJS-02 Tax Parcel Number 1-34-9.00-21.00		
Re	view Status APPROVED AS SUBMITTED Review Date 07/07/2015		
	PROJECT COMMENTS		
1432	The steamer connection of all fire hydrants shall be so positioned so as to be facing the street or fire lane. (DSFPR Regulation 705, Chapter 5, Section 10)		
	The center of all hose outlet(s) on fire hydrants shall be not less than 18 inches above final grade (NFPA 24, Section 7.3.3)		
1180	This report reflects site review only. It is the responsibility of the applicant and owner to forward copies of this review to any other agency as required by those agencies.		
1212	This Agency"s approval is for a conceptual long term major site development. As such, each subsequent development at this site must be submitted for review and approval by this Agency. Features of fire protection, including, but not limited to, water flow for fire protection and special hazard protection shall be provided as required by the State Fire Marshal. As the site is developed, the most current Delaware State Fire Prevention Regulations shall apply. NOTE: When revised plans are required to be resubmitted, a narrative letter does not suffice.		
	ADDITIONAL SUBMITTAL REQUIRED FOR COMMUNITY CENTER/POOL BUILDING(S)		
2500	A final inspection is required for this project prior to occupancy (DSFPR Regulation 701, Chapter 4, Section 7). Contact this Agency to schedule this inspection. Please have the plan review number available. A MINIMUM OF FIVE (5) WORKING DAYS NOTICE IS REQUIRED.		

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Sussex County 911 Addressing and GIS Services

Sussex County West Complex Administrative Offices 22215 DuPont Blvd 3rd Floor P.O. Box 589 Georgetown, DE 19947

Phone: (302) 855-1176 Fax: (302) 853-5889



July 23, 2015

Land Tech, LLC Attn: Jeffrey Clark 118 Atlantic Av Ocean View, DE 19970

RE: Proposed Subdivision Name

I have reviewed the names submitted for your proposed subdivision, which is located in Ocean View (1-34/9.00/21.00). In reviewing the proposed name(s) the following have been approved for this subdivision:

Oceanside Vista

*Please note this project was previously called The Seasons at Bethany.

Should you have any questions please contact the Sussex County Addressing Department at 302-853-5888 or 302-855-1176.

Sincerely,

th Stubbo

Lindsey D. Stubbs Addressing Department

CC: Janelle Cornwell Planning & Zoning

Sussex County 911 Addressing and GIS Services

Sussex County West Complex Administrative Offices 22215 DuPont Blvd 3rd Floor P.O. Box 589 Georgetown, DE 19947



Phone: (302) 855-1176 Fax: (302) 853-5889

July 23, 2015

Land Tech, LLC. Attn: Jeffrey Clark 118 Atlantic Av Ocean View, DE 19970

RE: Street Names

I have received proposed street names for Oceanside Vista located in Ocean View. In reviewing the proposed street name(s) the following have been approved:

Marlin Tail Way	Chinquapin Dr	Blue Blossom Crsg
Yellowwood Tr	Hophornbeam Rn	

Use only approved road names that you have written confirmation for or you will be required to rerecord.

Upon final approval, please forward a copy of the recorded site plan to my attention. Our office would appreciate a digital copy if at all possible for the purpose of addressing. Should you have any questions, please contact the **Sussex County Addressing Department** at 302-855-1176.

Sincerely,

fr. Stubbos

Lindsey D. Stubbs Addressing Department

CC: Janelle Cornwell Planning & Zoning



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

800 BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

December 31, 2015

Mr. Lawrence Lank, Director Sussex County Planning & Zoning Commission Sussex County Administration Building P.O. Box 417 Georgetown, Delaware 19947

SUBJECT: Letter of No Objection to Recordation Oceanside Vista (fka Preserve at Cedar Pines/Seasons at Bethany) Tax Parcel # 134-9.00-21.00 SCR357-CEDAR NECK ROAD Baltimore Hundred, Sussex County

Dear Mr. Lank:

The Department of Transportation has reviewed the Site Plan, dated May 30, 2014 (last revised November 11, 2015), for the above referenced site, and has no objection to its recordation as shown on the enclosed drawings. This "No Objection to Recordation" approval shall be valid for a period of <u>five (5) years</u>. If the Site Plan is not recorded prior to the expiration of the "No Objection to Recordation", then the plan must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. Entrance plans shall be developed in accordance with DelDOT's <u>Development Coordination Manual</u> and submitted to the Development Coordination Section for review and approval.

This "No Objection to Recordation" letter is <u>not</u> a DelDOT endorsement of the project discussed above. Rather, it is a recitation of the transportation improvements, which the applicant may be required to make as a pre-condition to recordation steps and deed restrictions as required by the respective county/municipality in which the project is located. If transportation investments are necessary, they are based on an analysis of the proposed project, its location, and its estimated impact on traffic movements and densities. The required improvements conform to DelDOT's published rules, regulations and standards. Ultimate responsibility for the approval of any project rests with the local government in which the land use decisions are authorized. There may be other reasons (environmental, historic, neighborhood composition, etc.) which compel



Preserve at Cedar Pines (fka Seasons at Bethany) Mr. Lawrence Lank Page 2 December 31, 2015

that jurisdiction to modify or reject this proposed plan even though DelDOT has established that these enumerated transportation improvements are acceptable.

If I can be of any further assistance, please call me at (302) 760-2266.

Very truly yours,

Steve Sisson Sussex County Review Coordinator Development Coordination

Enclosure (1)

 cc: Bethany Marina Liquidating Trust Mike Riemann, Becker Morgan Group, Inc. (3)
 Gemez W. Norwood, South District Entrance Permit Supervisor (2)
 Jessica L. Watson, Sussex Conservation District Todd Sammons, Subdivision Engineer
 Will T Mobley III, Sussex County Reviewer



STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

BOO BAY ROAD P.O. BOX 778 DOVER, DELAWARE 19903

JENNIFER COHAN SECRETARY

December 31, 2015

Mr. Mike Riemann Becker Morgan Group, Inc. 309 South Governors Avenue Dover, Delaware 19904

SUBJECT: Entrance Approval Letter Oceanside Vista (fka Preserve at Cedar Pines/Seasons at Bethany) Tax Parcel #134-9.00-21.00 SCR357-CEDAR NECK ROAD Baltimore Hundred, Sussex County

Dear Mr. Riemann:

The Department of Transportation has reviewed the Commercial Entrance Plans dated August 12, 2014 (last revised December 15, 2015) for the referenced project and determined that they are in general conformance with the Department's current regulations, specifications and standard details. By signing and sealing the plan set, the developer's engineer is responsible for accuracy of content. Any errors, omissions or required field changes will be the responsibility of the developer. This plan approval shall be valid a period of <u>three (3) years</u>. If an entrance permit has not been obtained within three years, then the plans must be updated to meet current requirements and resubmitted for review and approval.

This letter does not authorize the commencement of entrance construction. The following items will be <u>required</u> prior to the permit being issued. A pre-construction meeting may be required as determined by the South District Public Works office.

- A copy of the <u>recorded Site Plan</u> which is consistent with the DelDOT "No Objection to Recordation" stamped plan and all appropriate signatures, seals, plot book and page number.
- 2. A copy of the approved entrance plans.
- 3. Completed permit application.
- 4. Executed agreements (i.e. construction, signal, letter).
- 5. An itemized construction cost estimate.
- A 150% security based upon an approved itemized construction cost estimate and W-9 form (if providing escrow).



Preserve at Cedar Pines (fka Seasons at Bethany) Mr. Riemann Page 2 December 31, 2015

7. A letter of source of materials, work schedule, list of subcontractors, emergency telephone numbers and names of contact persons.

Please contact the South District Public Works office (302) 853-1340 concerning any questions you may have relative to the aforementioned required items.

Sincerely,

Steve Sisson Sussex County Review Coordinator Development Coordination

Enclosure (2)

 cc: Bethany Marina Liquidating Trust Jessica L. Watson, Sussex Conservation District James Osborne, South District Subdivision Manager (2) Jerry Nagyiski, Safety Officer Supervisor (1) Tom Meyer, Traffic Studies Manager (1) Todd Sammons, Subdivision Engineer Will T Mobley III, Sussex County Reviewer

INDIAN RIVER SCHOOL DISTRICT

"A Model of Excellence"

Susan S. Bunting, Ed.D. Superintendent



Mark. L. Steele Assistant Superintendent

February 25, 2016

To who it may concern,

The Indian River Transportation Office currently will not require a bus shelter in the proposed development of Oceanside Vista formerly known as The Preserve at Cedar Pines. The proposed location is located in a tourist area. The location makes it hard to determine how many students will reside in this development. Due to uncertainty we are unable to determine if the development would meet requirements for a bus to enter to load and unload students.

If you have any additional questions, please contact me at your earliest convenience.

Tyler J. Bryan Transportation Systems Analyst 31 Hosier St. Selbyville, DE 19975 (302) 436-1000

ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
UTILITY ENGINEERING	(302) 855-7717
UTILITY PERMITS	(302) 855-7719
UTILITY PLANNING	(302) 855-1299
FAX	(302) 855-7799



Sussex County

DELAWARE sussexcountyde.gov

HANS M. MEDLARZ, P.E. COUNTY ENGINEER

MICHAEL E. BRADY DIRECTOR OF PUBLIC WORKS

BECKER 1016 RE

March 17, 2016

Mr. J. Michael Riemann, P.E. Becker Morgan Group, Inc. 309 S. Governors Ave. Dover, DE 19904

THE PRESERVE AT CEDAR PINES REF: CEDAR NECK EXPANSION OF THE BETHANY BEACH SANITARY SEWER DISTRICT SUSSEX COUNTY TAX MAP NUMBER 134-9.00-PARCEL 21.00 - CLASS-1 AGREEMENT NO. 1014

Dear Mr. Riemann:

The above referenced project was approved on March 17, 2016 and one (1) set of the approved plan is enclosed. This approval is valid for three (3) years, unless prior to expiration of that three (3) year period, a time extension is requested and approved by the Department. Plans granted an extension beyond the three (3) period will be required to meet updated standards and specifications.

Also, it is your responsibility to secure approvals and/or permits that may be required by other regulatory agencies.

Please contact Mr. Gary Fleetwood of this Division to initiate pre-construction procedures for private roads and Mr. Keith Bryan in the Department's Division of Utility Engineering to initiate preconstruction procedures for sanitary sewer.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

SUSSEX COUNTY ENGINEERING DEPARTMENT

Michael Brady

Director of Public Works

CC: Castaways Bethany Beach, Inc., w/o enclosure Mr. Keith Bryan, w/ 2 enclosures Mr. Lawrence Lank, w/o enclosure Public Works Field, w/enclosure



COUNTY ADMINISTRATIVE OFFICES WEST COMPLEX 22215 DUPONT BOULEVARD | PO BOX 589 GEORGETOWN, DELAWARE 19947



STATE OF DELAWARE DEPARTMENT OF NATURAL RESOURCES & ENVIRONMENTAL CONTROL DIVISION OF WATER 89 KINGS HIGHWAY DOVER, DELAWARE 19901

Surface Water Discharges Section Construction Permits Branch Telephone: (302) 739-9946 Facsimile: (302) 739-8369

August 22, 2016

Todd Burbage Castaways Bethany Beach, LLC 9428 Stephen Decatur Highway Berlin, MD 21811

RE: Oceanside Vista Subdivision State Wastewater Construction Permit No. WPCC 3103/15

Dear Mr. Burbage:

Please find enclosed a copy of the construction permit that was issued for the referenced project.

We expect the construction to be completed prior to the permit expiration date. If construction cannot be completed by then, a one-time, no-cost, two-year extension may be issued, as long as we receive the request at least two (2) weeks prior to permit expiration and as long as there have been no substantial changes to the plans or scope of work, as determined by DNREC.

Per Part II.A.2a of the enclosed permit, notify the Department of any changes to the activities authorized therein. Per Part II.B.1 of the enclosed permit, you are to submit a set of "as-built" plans of the constructed wastewater facilities within ninety (90) days of construction completion. The as-built plans must be signed and sealed by a Professional Engineer licensed in Delaware.

If you have any questions, please contact me at (302) 739-9941 or via email at davison.mwale@state.de.us

Sincerely Dr. Davison Mwale (PhD) **Environmental Finance**

Enclosure

Email: Mr. Jonathan Richards or Mr. Michael Riemann – Becker Morgan Group, Inc. Mail: Mr. Michael Brady, Director of Public Works – Sussex County Dept. of Public Works

Delaware's good nature depends on you!



April 22, 2016

Land Tech Land Planning, LLC 118 Atlantic Avenue, Suite 202 Ocean View, DE 19970

Attention: Mr. Jeffrey A. Clark

RE: OCEANSIDE VISTA

Dear Mr. Clark:

As per our conversation, Sussex Shores Water Co. (SSWC) is prepared to provide water service to the proposed OCEANSIDE VISTA project providing the developers execute a water service agreement with SSWC.

I have reviewed the plans, latest revision 31 March 16, and SSWC is pleased with the design of the transmission and distribution water system.

I also spoke with Bill Milliken from the Office of Drinking Water (ODW), and advised him that, pending his approval, SSWC is satisfied with the design.

Subsequent to receiving ODW and Fire Marshal approvals, and the execution of the water service agreement, SSWC will then prepare the necessary documents to put the project out to bid.

We look forward to working with you on this project.

If you have any questions or need additional information, please advise.

Sincerely,

SUSSEX SHORES WATER CO., INC.

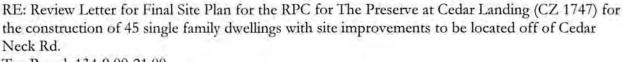
Bradley F. Dorey Director of Operations

cc: Christine Mason William Milliken JANELLE M. CORNWELL, AICP

PLANNING & ZONING MANAGER (302) 855-7878 T (302) 854-5079 F janelle.cornwell@sussexcountyde.gov

March 5, 2016

Jeff Clark, RLA Land Tech Land Planning, LLC 118 Atlantic Ave., Suite 202 Ocean City, DE 19970



Sussex County

DELAWARE

sussexcountyde.gov

Tax Parcel: 134-9.00-21.00

Dear Mr. Clark,

The Planning and Zoning Office has reviewed the Final Site Plan for the RPC for The Preserve at Cedar Landing (CZ 1747) for the construction of 45 single family dwellings with site improvements to be located off of Cedar Neck Rd. for compliance with the Zoning Code and has the following comments:

- 1. Staff notes this review does not include the review of CU 1986 for the construction of multi-family dwellings and that shall require a separate Site Plan review as that was not included as part of this review.
- 2. Revise the following in the Site Data Column:
 - a. Indicate the tax parcel number.
 - b. Indicate the zoning.
 - c. Indicate the development is a RPC.
 - d. Indicate the corner front yard setback for the property. (15 ft.
 - e. Indicate the density.
 - f. Indicate the Change of Zone and Conditional Use file numbers. (CZ 1747 & CU 1986).
 - g. Indicate the minimum lot frontage of the lots.
 - h. Indicate the minimum lot depth of the lots.
 - i. Clarify if the setbacks are for only the single family dwellings.
 - j. Indicate the maximum height.
 - k. Indicate the proposed height.
 - Indicate the FEMA Firm Map Number and date. (10005C0504K dated March 16, 2015)
 - m. Indicate the amount of wetlands.
 - n. Indicate the amount of open space.
- 3. Provide a Landscape Plan.
- 4. Indicate the following on the Landscape Plan:
 - a. Indicate the number of trees to be planted.
 - b. Indicate the types of trees to be planted.



Site Plan Review Letter - The Preserves at Cedar Landing CZ 1747 March 5, 2016 P a g e | 2

c. Provide a Landscape Architect Certification.

- 5. Provide a road section.
- 6. Provide a north arrow on all plan sheets.
- 7. Indicate the scale on Plan Sheet 1 of 3.
- 8. Indicate the corner front yard setback of 15' in the Legend.
- 9. Indicate how lots 1, 35, and 45 comply with the 60' minimum lot frontage requirement.
- 10. Indicate if sidewalks will be provided in the development. If sidewalks are not provided it is noted that there is an opportunity to provide sidewalks to provide for safe pedestrian access to the amenities in the development.
- 11. The amenities shall require a separate Site Plan with separate review and approval by the Planning Commission.
- 12. Indicate the areas subject to the RPC and the areas subject to the Conditional Use.
- 13. Staff notes that there is an opportunity to provide no on-street parking signs throughout the development as the proposed road will be wide enough to allow for on-street parking.
- 14. Clarify Note #2 in the Notes Column. The note should state all subdivision lots shall have a five foot wide easements along all lot lines for a total easement width of at least 10 feet along a lot line common to tow lots. Easements along perimeter boundaries of the subdivision shall be no less than 10 feet in width on the interior side of the boundary.
- 15. Staff notes that there is an opportunity to provide permanent signage regarding the wetlands and that the wetlands shall not be disturbed.
- 16. Staff notes the Army Corp of Engineering JD expires in September 2016.
- 17. Staff notes that there is an opportunity to combine outlet/open space parcels D, E & F into one parcel with the wetlands. This would eliminate the concern the possibility of the area bine added to the adjacent lots in the future and there would be only one large open space lot.
- 18. The Planning Office is in receipt of approval from the Sussex County 911 Addressing and Mapping Department.
- 19. Prior to approval of the Final Site Plan an approval letter from DNREC or the Army Corp of Engineers shall be submitted to the Planning Office.
- 20. Prior to approval of the Final Site Plan an approval letter from DelDOT shall be submitted to the Planning Office.
- 21. Prior to approval of the Final Site Plan an approval letter from the Office of the State Fire Marshal shall be submitted to the Planning Office.
- 22. Prior to approval of the Final Site Plan an approval letter from the Sussex County Engineering Department shall be submitted to the Planning Office.
- 23. Prior to approval of the Final Site Plan an approval letter from the Indian River School District shall be submitted to the Planning Office.
- 24. Prior to approval of the Final Site Plan an approval letter from the Department of Agricultural shall be submitted to the Planning Office.
- 25. Prior to recordation of the plan a \$10 per lot fee shall be submitted to the Planning Office. The fee shall accompany the final plan sets.

Site Plan Review Letter – The Preserves at Cedar Landing CZ 1747 March 5, 2016 Page 13

The items shall be revised prior to Final Site Plan Approval. Provide eight (8) paper copies (11"x17") of the revised plan to the Planning Office once all agency approvals have been obtained. Once all agency approvals have been obtained and revisions have been made the Final Site Plan will be placed on the next available Planning Commission agenda.

Please feel free to contact me with any questions during business hours 8:30am – 4:30pm Monday through Friday at 302-855-7878.

Sincerely,

1

Janelle M Cornwell

Janelle M. Cornwell, AICP Planning & Zoning Manager



DELAWARE HEALTH AND SOCIAL SERVICES

Division of Public Health

Office of Engineering Phone: (302) 741-8640 Fax: (302) 741-8641

April 27, 2016

SUSSEX SHORES WATER COMPANY

APPROVAL TO CONSTRUCT Oceanside Vista Subdivision Connection PWS #DE0000557 Approval #16W35

Mr. Todd Burbage Castaways Bethany Beach, L.L.C. 9428 Stephen Decatur Highway Berlin, MD 21811

Dear Mr. Burbage:

As provided by Section 2.11 of the *State of Delaware Regulations Governing Public Drinking Water Systems*, you are granted approval to connect Oceanside Vista Subdivision to the existing main in accordance with the plans submitted by Becker Morgan Group, Inc. The plans consist of:

- Transmittal letters dated October 30, 2006, November 13, 2006, March 5, 2007, January 15, 2015 and April 25, 2016.
- Application for Construction of New or Existing Public Water System dated January 9, 2015.
- Two copies of the plans entitled "Oceanside Vista Subdivision" dated August 12, 2014 and revised April 22, 2016.

These plans, as noted, are made a part of this approval. This approval is granted subject to the enclosed list of conditions.

It is the owner's responsibility to ensure as-built drawings are maintained throughout all phases of construction. Prior to receiving an Approval to Operate, the Office of Engineering requires one set of as-built drawings, including profile markups where sanitary sewer crosses proposed water mains.

The Office of Engineering recommends detectable tracer tape that is three inches wide and blue in color to be installed directly above all water mains larger than two inches in diameter.

Mr. Todd Burbage Castaways Bethany Beach, L.L.C. April 27, 2016 Page 2

I am sending one set of plans with a copy of this approval to Sussex Shores Water Company that is signed and dated by the Office of Engineering. Should you have any questions regarding this matter, please feel free to contact Bill Milliken at 302-741-8646.

Plans reviewed by:

William J. Milliken, Jr. Engineer III Office of Engineering

Sincerely. Doug Lodge, P.E.

Doug Lodge, P.E.
 Supervisor of Engineering
 Office of Engineering

cc: Shane Abbott, Sussex County Planning & Zoning Kevin Neilson, Public Service Commission Brad Dorey, Sussex Shores Water Company Jonathan D. Richard, P.E., Becker Morgan Group, Inc. Keith Mensch, Office of Drinking Water Castaways Bethany Beach, L.L.C. April 27, 2016 Page 1 of 2

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- 1. The approval is void if construction has not been started by April 27, 2017.
- 2. The project shall be constructed in accordance with the approved plans and all required conditions listed in this Approval to Construct. If any changes are necessary, revised plans shall be submitted and a supplemental approval issued prior to the start of construction. Asbuilt plans including profile mark-ups must be submitted to the Office of Engineering after construction has been completed.
- 3. Representatives of the Division of Public Health may inspect this project at any time during the construction.
- 4. This approval does not cover the structural stability of any units or parts of this project.
- 5. The water system shall be operated in conformance with the State of Delaware Regulations Governing Public Drinking Water Systems.
- 6. All potable water lines and appurtenances shall be disinfected using one of the methods in the American Water Works Association Standard C651, current edition.
- 7. Water mains crossing sanitary and storm sewers should be laid to provide a minimum vertical distance of 18 inches between the outside of the water main and the outside of the sewer, and the water main should be above the sewer. At crossings, one full length of water pipe should be located so both joints will be as far from the sewer as possible. Special structural support for the water and sewer pipes may be required. In cases where it is not practical to maintain an 18-inch separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.
- 8. Water mains should be laid 10 feet horizontally from any existing or proposed sanitary or storm sewers. The distance should be measured edge to edge. In cases where it is not practical to maintain a 10-foot separation, the Division may allow deviation on a case-by-case basis if supported by data from the design engineer.
- 9. All chemicals, materials, mechanical devices, and coatings in contact with potable water shall comply with National Sanitation Foundation/American National Standards Institute Standards (NSF/ANSI) 60 and 61 and shall be inert, nontoxic, and shall not import any taste, odor, or color to the water.
- 10. Sufficient valves should be provided so that inconvenience and sanitary hazards will be minimized during repairs. Valves should be located at not more than 500-foot intervals in commercial districts and at not more than one block or 800-foot intervals in other districts.
- 11. There shall be no connection between the distribution system and any pipes, pumps, hydrants, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into the system.

- 12. Fire hydrant drains shall not be connected to or located within 10 feet of sanitary sewers, storm sewers, or storm drains.
- 13. Prior to usage of water from this new well, water plant, storage plant, or distribution system, approval for the water quality must be obtained from the Division of Public Health.
- 14. The water system should be capable of providing at least 25 psi at ground level at all times throughout the distribution system.
- 15. All plastic pipe utilized in this drinking water system shall be approved for potable water use (NSF-pw). If any piping is joined with solder or flux, the solder and flux shall be lead free (less than or equal to 0.2 percent lead).
- 16. All water lines should be buried to a depth of at least 3 feet.
- 17. This approval is for the distribution system only. Plans and specifications for all well plumbing, pumps, storage (including any interior coatings), and treatment must be submitted to and approved by this office prior to their installation.
- 18. The approval is subject to immediate revocation upon violation of any of the preceding conditions.
- 19. All other local (state/county/city/town) approvals or permits needed must be obtained prior to beginning construction.
- 20. Upon completion of construction and before the system is placed into operation, a "Notice of Completion" must be submitted to the Office of Engineering. Before placing the system into operation, the following must be adhered to:
 - a. Submit a set of as-built plans with profile markups to the Office of Engineering.
 - b. Obtain an Approval to Operate from the Office of Engineering.

ORDINANCE NO.

AN ORDINANCE ADOPTING THE 2018 COMPREHENSIVE PLAN FOR SUSSEX COUNTY AND REPEALING ORDINANCE NO. 1980, THE 2007 UPDATE OF THE COMPREHENSIVE PLAN, ADOPTED JUNE 24, 2008

WHEREAS, the County Council of Sussex County has the power and jurisdiction to regulate zoning and the uses of land in those portions of Sussex County which are not included within the corporate limits of any city or town; and

WHEREAS, the purpose of planning and zoning is to promote the health, safety, prosperity, and general welfare, as well as the further purpose of securing coordinated plans for land use, transportation, public facilities and utilities, and public works and expenditures in those portions of Sussex County subject to the power and jurisdiction of the County Council of Sussex County; and

WHEREAS, the County Council is required by The Quality of Life Act, as it appears in Subchapter II, Chapter 69 of Title 9 of the Delaware Code, as amended, to update its Comprehensive Plan for zoning, subdivision, and other land use decisions adopted June 24, 2008; and

WHEREAS, the County Planning and Zoning Commission and the County Council have held extensive public workshops and hearings, and have prepared a Comprehensive Plan for submission to the Cabinet Committee on State Planning Issues; and

WHEREAS, the County Government of Sussex County is of the opinion that it promotes the health, safety, morale, convenience, order, prosperity, and welfare of the present and future inhabitants of Sussex County by adopting a final Comprehensive Plan;

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

<u>Section 1.</u> The 2018 Sussex County Comprehensive Plan is adopted as the Comprehensive Plan in Sussex County.

Section 2. The 2007 Update of the Comprehensive Plan adopted June 24, 2008 is hereby repealed.

<u>Section 3.</u> If any provision of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provisions or applications.

<u>Section 4.</u> This Ordinance shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

EXHIBIT B

Below is the format to be used for future Project Orders

PROJECT ORDER

Revised Scope – Henlopen TID

Scope of Services:

AECOM appreciates the opportunity to provide this Scope of Work to perform a build-out analysis as part of the Henlopen TID study currently being performed by DelDOT and Sussex County. Our services are proposed as part of our on-call planning services agreement with the County.

Background

Both DelDOT and the County understand that traffic is a function of land use, and better land use projection lead to better traffic projections, which lead to better roads design. AECOM proposes to aid the land use projection step in the planning process by conducting a parcel level build-out analysis that estimates the amount and the location of potential future development based on the current zoning within the Henlopen TID study area. We will provide the County with a parcel based developable land inventory and a quantitative table displaying the projected total number of dwelling units and non-residential (commercial, offices, etc.) square footage if all of the developable land within the study area is developed under the current zoning regulations. It is understood that the built-out analysis will also aid DelDOT and Sussex County to comprehensively coordinate land use and transportation initiatives. The build-out results will aid DelDOT to model the projected demands and impacts on transportation infrastructure, as well as direct future transportation improvements, associated costs and distribution of those costs. The results will also assist the County to evaluate any land use and transportation policies or initiatives within the study area. The original TID analysis was completed and presented to County on June 20, 2017.

After a review of the initial TID analysis, it was decided that the TID boundary be amended to remove all lands east of Delaware Route 1, and that the southern boundary be expanded to include lands south to Angola Neck. This expansion added approximately 6500 acres to the Henlopen TID area. This amended scope is to provide the additional services to expand and modify the TID area and to provide assistance to the County in presenting the data and findings to DelDOT for their review and analysis.

Scope of Work

AECOM proposes to perform the following services:

- 1. **GIS data collection, mapping and analysis.** To update the original TID boundary, the data collection for the expanded area will utilize the same data sources to obtain information of the new boundary area. We will collect and use the following GIS zoning and land use data in the analysis:
 - a. Tax Parcels Most recent dataset to be provided by County
 - b. Henlopen TID Boundary DelDOT
 - c. Zoning Districts Most recent dataset to be provided by County
 - d. Delaware State Strategies, Out-of-Play areas, 2015 FirstMap
 - i. Assumption: Layer includes all undevelopable land through environmental sensitives and land preserved in perpetuity (e.g. public lands, agricultural preserved land, wetlands) *FirstMap*
 - e. Delaware Impervious Surface, Sussex East, 2012 FirstMap
 - f. Building Permits, 2017 FirstMap
 - g. Aerials, 2015 USDA National Agriculture Imagery Program (NAIP)

- h. Other potential data sources that may influence calculations
 - i. Environmental Sensitive Overlay District Most recent dataset to be provided by County
 - ii. Developments in the pipeline (e.g. PLUS review locations) FirstMap

We will overlay these datasets and use GIS spatial analysis tools to identify undeveloped parcels and respective zoning, to net out "out-of-play" areas, and to calculate developable land area.

- a. Identify vacant and underdeveloped parcels. We will identify vacant parcels selecting all parcels that are not intersected by the 2012 impervious surface layer. We will identify properties that have been developed since the 2012 data using the aerial imagery and OSPC building permit data. It is important to note that there will be large parcels that currently have a building, but have sufficient space to expand or subdivide. These situations will be reviewed concurrent with the zoning analysis on case-by-case base to determine if they should be mapped as developable land and included in the analysis.
- b. *Identify zoning categories and merge with vacant parcels.* Based on our review of the zoning district regulations, separate zoning districts may be able to be classified into similar groups. We will then merge the grouped zones with the vacant parcel data.
- c. *Net out undevelopable land.* We will net out unbuildable land by merging the vacant parcel with zoning data with the Out-of-Play data, which will separate developable and undevelopable land and create measurable polygons to calculate developable land per zoning category.
- d. Identify recent approved developments and new development application which are currently in the approval pipeline with Sussex County. In these locations/parcels the approved or applied for unit numbers will be used in the buildout analysis and identified in a separate table identified as "Recently Approved Applications" for both residential units and commercial square footage.
- 2. Zoning analysis and interpretation. We will review and interpret the zoning districts in the study area, including permitted uses, maximum residential density and maximum non-residential square footage. For residential properties, we will identify permitted housing types and calculate the maximum number of dwellings permitted in the zone. Non-residential zones are in the study area, and build-out of any vacant/underutilized land in these zones should be calculated since commercial and office space will have an impact on infrastructure. For non-residential properties, we will identify permitted uses and calculate the total floor area using maximum building coverage and number of stories.

Please note that there are multiple development scenarios that can occur under the current zoning ordinance. While the majority of vacant land in the study area is zoned AR-1, it appears to also include other zones that permit varying densities, including MR, GR, HR and RPC. The analysis will evaluate and determine the zoning, permitted uses and density for all vacant land. We will determine the maximum build-out per the highest density and intensity allowed by code. Following this review, it may be deemed necessary and appropriate to factor in assumptions that help estimate a more realistic build-out scenario. For instance, the final estimate may reduce the number of dwelling units or non-residential square footage achievable considering the need for parking, roads, stormwater management areas, open space, and wetland buffer zones. At a minimum, the developable area will net out the Out-of-Play areas.

- 3. Prepare final updated map and build-out analysis table. We will prepare the revised final map displaying the developable land, developments in the pipeline, zoning districts, Out-of-Play areas, and impervious coverage within the new Henlopen TID Boundary. We will also prepare a Build-out Analysis table displaying the developable land acreage, the number of new dwelling units and the number of non-residential buildings with square footage per zoning category.
- 4. **Meeting Attendance with DELDOT and provide materials.** AECOM will attend one meeting with DelDOT and the County to review the findings of the TID build out analysis and data. AECOM will provide the data and mapping in both digital and hard copy format for the meeting with DelDOT.

DELIVERABLES:

AECOM will provide the following deliverables:

- **Map.** Six (6) printed copies of a 24x36 map and a PDF, as described in Section 3 above, will be provided for County records and distribution to DelDOT.
- Summary Report. Six (6) printed copies and a PDF of a report summarizing the Build-Out Analysis results and the methodology used to obtain the results. The map and table will be labeled as "Build-Out Projections as [Date of results]".
- GIS Data. All GIS data and layers used in the analysis will be provided in a geodatabase and georeferenced format.

SCHEDULE FOR COMPLETION OF SERVICES:

We anticipate completion of this task within 4 weeks from notice to proceed with this scope of work.

UPSET LIMIT FOR THIS SCOPE OF SERVICES:

Our updated estimated cost to perform the revised Henlopen TID area analysis and services is \$11,500 these and will not exceed this price without approval from Sussex County.

EMPLOYEE HOURLY RATES: The employee hourly rates as set forth in Exhibit A shall apply to this scope of Services. Hourly rates shall not increase by more than 2% per year without prior written approval of the County

Hourly Rates for Key Task Employees:

Kyle Gulbronson:	\$65.77
Ryan Mawhinney	\$40.52
Jessica Molina	\$24.52
George Bendler	\$35.56
Amy Mendelson	\$27.72

JANELLE M. CORNWELL, AICP PLANNING & ZONING DIRECTOR (302) 855-7878 T (302) 854-5079 F janelle.cornwell@sussexcountyde.gov





Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 12, 2017

RE: County Council Old Business Report for CU 2089 Massey's Landing Campground

The County Council held a public hearing on August 29, 2017. The County Council deferred action for further consideration.

The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that the applicant is specifically requesting to amend Condition of Approval #9 that currently states "the campground/RV park shall remain vacant and no campers or RV's shall be stored on the campground during the period that the campground is closed;" that the applicant is requesting the condition to be revised to state " the campground/RV park shall remain vacant and no campers or RV's except Park Model RV's on approval Park Model campsites shall be stored on the campground during the period that the campground is closed. Park Model RV's and campground food trailer(s) in special flood hazard areas shall either meet the requirements of 115-141.5B(3) for manufactured homes or may be stored on paved campground automobile parking areas out of the floodplain when the campground is closed; " and that Sussex Conservation District has submitted comments into the record as part of the application.

The Commission found Jeff Clark with Land Tech Land Planning was present on behalf of the application; that Mr. Clark spoke that this is an upscale location; that there are beach resort amenities; that this is a transient campground; that no guests remain for the entire camping season; that the campground consists of tents, RVs both self-propelled and pull behind; that the Park Models have to be removed from the campground and relocated offsite during the time that the campground is closed for the season; that the water is shut off when the campground is closed for the season; that a caretaker remains onsite year round; that this condition was placed by the Commission but amended by County Council; therefore, a new public hearing is necessary to amend the condition; that the site plan limits the number of Park Model sites in the campground to 70; that the kitchen for the Sandy Dollar Grill is a food trailer and a portable bathroom trailer facility are also required to be relocated offsite during the offseason; and that relocating the Park Models and trailers offsite is expensive.

The Commission found there were no parties in support to this application.



There was discussion about the application

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration. Motion carried 5-0.

At their meeting of August 24, 2017, the Commission discussed this application which has been deferred since July 27, 2017.

Mr. Hopkins stated that he would move that the Commission recommend denial of CU #2089 for Massey's Landing Properties, LLC to amend Condition Number 9 of Ordinance No. 2378 for Conditional Use #1963 relating to "Park Model RVs" and campground food trailers based on the record made during the public hearing and for the following reasons:

- 1. The Applicant is requesting a modification of Condition #9 of the Conditional Use approval for The Resort at Massey's Landing to allow "Park Model RVs" and campground food trailers to either be stored on paved areas outside of the floodplain or to be tied down like a manufactured home according to Section 115-141.5B(3) of the Zoning Code.
- 2. The applicants are basically asking to convert "Park Model RVs" into permanently located manufactured homes on campsites.
- 3. Section 115-141.5B(3) states that a manufactured home in this location must be elevated on a permanent, reinforced foundation with anchors and tie-downs. They become permanent structures.
- 4. Section 115-172.H(9) states that no permanent structures for human occupation or manufactured homes other than one used by the park manager are permitted in a campground. This section prohibits the conversion of these RVs into permanently anchored structures like a manufactured home.
- 5. Council made the determination that these units must be completely removed from the property when they approved the Campground Ordinance because a large area of the campground is in a flood zone and the entire site is known by everyone to be historically prone to flooding. There is nothing in the record that has convinced me that these conditions of approval should be revised.
- 6. My motion is for a recommendation of denial for the requested changes to the conditions of Conditional Use #1963

Motion by Mr. Hopkins, seconded by Mr. Wheatley, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 5-0.

Council District No. 4 – Cole Tax I.D. No. 234-25.00-31.02, 234-25.00-31.05, 234-25.00-31.04, and 234-25.00-31.00 911 Address: 36625 Long Neck Road and 20628 Long Beach Drive, Millsboro

ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO ORDINANCE NO. 2378 FOR CONDITIONAL USE NO. 1963 FOR A CAMPGROUND TO AMEND CONDITION OF APPROVAL NO. 9 RELATING TO PARKING OF "PARK MODEL RV'S" AND CAMPGROUND FOOD TRAILER(S) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 54.33 ACRES, MORE OR LESS

WHEREAS, on the 27th day of March 2017, a conditional use application, denominated Conditional Use No. 2089, was filed on behalf of Massey's Landing Properties, LLC; and

WHEREAS, on the _____ day of _____ 2017, 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. 2089 be _____; and

WHEREAS, on the ______day of ______2017, 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. 2089 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 both sides of the eastern end of Long Neck Road, and being more particularly described per the attached deed prepared by Morris James, LLP, said parcel containing 54.33 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.

JANELLE M. CORNWELL, AICP PLANNING & ZONING DIRECTOR (302) 855-7878 T (302) 854-5079 F janelle.cornwell@sussexcountyde.gov





Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 12, 2017

RE: County Council Old Business Report for CU 2095 Sposato Investments, LLC

The County Council held a public hearing on August 29, 2017. The County Council deferred action for further consideration.

The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that comments from Sussex Conservation District; and a staff analysis were submitted into the record.

The Commission found that Ms. Shannon Carmean Burton, attorney with Sergevic Carmean Weidman McCartney and Owens, Tony Sposato, President of Sposato Investments LLC and Sposato Landscape Company Inc, and Rich McCracken Sposato Landscape Ocean View Branch Manager were present on behalf of the application; that an exhibit book was provided; that Sposato Landscape is located on approximately 5 acres; that the business has been in operation for over 20 years; that the applicant is requesting to amend Condition 3 of the Conditional Use approved in 2002 and modified in 2016 to modify the operational hours to allow three mechanics to arrive at 5 am, management to arrive at 6am and the remaining employees to arrive at 6:30 am to prepare for daily operations; that the daily end time would be 7pm; that there shall be no Sunday hours of operation; that currently business hours are 7am to 7 pm Monday thru Saturday; that Mr. Sposato did not realize he could not have employees onsite prior to 7am; that the property is located in an agricultural and residential area; that there are 2 other business in the area one being a poultry operation and one being an electrical contracting business; that most of the neighbors and adjacent neighbors have submitted letters of approval which were contained in the exhibit book; that Mr. Sposato has 2 signs on the property asking employees to be respectful of neighbors; that Mr. Sposato makes every effort to minimize impact to neighbors, including asking drivers to avoid driving past one neighbor's property; that the company makes every attempt to be a good neighbor and minimize impacts to the neighborhood; that customers do not come to the site; that there is no signage advertising the business; that there is a forested buffer surrounding the property; that mechanics make every effort to do repair work inside the shop, though there are some instances that work may need to be done outside; that Mr. Sposato said it is rare that equipment backfires on the property; that Sposato Landscape Company is a nationally recognized landscape firm; that Mr.



County Council Old Business Report for CU 2095 Sposato P a g e | 2

McCracken indicated the trucks are coming back around 6:30pm; that mechanics are working on equipment inside shop prior to loading trucks and going on road by 7am.

The Commission found there were ten (10) parties in support of this application.

The Commission found Mr. Mike Kwiecien and Mr. Don Sousa opposed to the application; that Mr. Kwiecien is a neighbor and has concerns with travel, traffic, noise; the number of trucks delivering mulch and supplies; grinding mulch, employees trespassing on his property, trucks driving on the wrong side of the road, safety of kids getting on school bus when trucks and trailers are coming and going; that he has been fighting this for 16 years; that others in the neighborhood have concerns; that this is a quality of life issue; that the road is an old country road; that he wants the conditional use removed; that Mr. Sousa stated the chipper is very loud; that the Sposato's have been good neighbors at times, but he has concerns with the expansion of the new hours and wants to keep it as it is.

There was discussion about the application.

Motion by Mr. Hudson, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration. Motion carried 5-0.

At their meeting of August 10, 2017, the Commission discussed this application which has been deferred since July 27, 2017.

Mr. Hudson stated that he would move that the Commission recommend partially approval the application of Sposato Investments, LLC to amend Condition Number 3 of prior Conditional Use #1446 and Ordinance #1533 regarding hours of operation based upon the record made during the public hearing and for the following reasons:

- 1. County Council approved this Conditional Use in 2002 for a landscaping business. There were several conditions attached to this approval.
- 2. Currently, Condition Number 3 of the Conditional Use states that "Business Hours shall be from 7:00 am until 7:00 pm. There shall be no Sunday hours."
- 3. The applicant seeks to amend Condition Number 3 to generally state: "Business Hours: 3 mechanics may arrive on site at 5:00 am; management may arrive on site at 6:00 am; and the remaining employees to arrive at 6:30 am to prepare for daily operations with the daily end of all operations by 7:00 pm. There shall be no Sunday hours."
- 4. The applicant has stated that it is necessary for some of his employees to be on site early in the morning to keep the landscaping equipment maintained and ready to go out. And, the employees must arrive prior to 7:00 am so that they can get the company equipment and vehicles to the various job sites on time.
- 5. There were many letters in support of the request, including letters from surrounding property owners. There was opposition from an adjacent property owner, although his residence is approximately 660 feet from the boundary of the applicant's property. The objections referenced early morning noise and traffic related to the operations occurring at the site.
- 6. The approved conditional use is located in an otherwise agricultural and residential area. There must be some expectation of noise from nearby permitted agricultural uses, but

not on a daily basis starting at 5:00 am.

- 7. While I am not concerned about managers or employees arriving prior to 7:00, I do not believe that it is appropriate to allow mechanical and maintenance work on the vehicles and equipment to start at 5:00 am, 6 days a week. That is not compatible with the residential surroundings.
- 8. For all of these reasons, an appropriate amendment to Condition # 3 of Conditional Use #1446 and Ordinance # 1533 is as follows:

"Business Hours shall be from 6:00 am until 7:00 pm, Monday through Saturday. There shall not be any Sunday hours of operation. All employees may arrive on site no earlier than 6:00 am. However, no outdoor maintenance or mechanical work shall occur prior to 7:00 am, and no power equipment may be operated outdoors on the site until 7:00 am."

Motion by Mr. Hudson, seconded by Mr. Hopkins, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 5-0.

Introduced 05/16/17

Council District No. 5 – Arlett Tax I.D. No. 134-18.00-31.01 and 134-18.00-31.02 911 Address: 34742 Rickards Road, Frankford

ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AMENDMENT TO ORDINANCE NO. 1533 FOR CONDITIONAL USE NO. 1446 FOR A LANDSCAPING BUSINESS WITH OUTDOOR STORAGE TO REQUEST AN AMENDMENT TO CONDITION NO. 3 REGARDING HOURS OF OPERATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.0 ACRES, MORE OR LESS

WHEREAS, on the 5th day of April 2017, a conditional use application, denominated Conditional Use No. 2095, was filed on behalf of Sposato Investments, LLC; and

WHEREAS, on the _____ day of ______ 2017, 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. 2095 be _____; and

WHEREAS, on the ______day of ______2017, 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. 2095 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 Baltimore Hundred, Sussex County, Delaware, and lying on the south side of Rickards Road, approximately 0.62 mile northeast of Daisey Road, and being more particularly described per the attached deed prepared by Tunnell & Raysor, P.A., said parcel 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.



SUSSEX COUNTY GOVERNMENT GRANT APPLICATION

	SECTION 1 APPLICANT	INFORMATION	
ORGANIZATION NAME	Laurel Fire Depa	artment	
PROJECT NAME:	Utility Gator 81		
FEDERAL TAX ID:	51-0229597	NON-PROFIT: [YES NO
DOES YOUR ORGANIZA	TION OR ITS PARENT ORGAN	IZATION HAVE A RELIGIOUS AFF	ILIATION?
	YES NO *IF Y	ES, FILL OUT SECTION 3B.	
ORGANIZATION'S MISS	ION: To provide Fire and Em	ergency medical services to the	Laurel
	,		
	205 W 10th 01		
ADDRESS:	205 W 10th St		
	Laurel	DE	19956
	(CITY)	(STATE)	(ZIP)
CONTACT PERSON:	Bill Hearn		
TITLE:	President		
PHONE:	302-875-3081 _{EM}	AIL: bhearn@laurelfire	dept.com
ni uuse ser and uuse seetuu - aato seure -			and the second
2 他 A 19 19 13 14 14 14 19 14 19 19 19 19 19 19 19 19 19 19 19 19 19	TOTAL FUNDING REQUI	EST: \$2,968.00	
Has your organization r the last year?		m Sussex County Government in	YES NO
If YES, how much was re	eceived in the last 12 months?		and the program of the construction of the second
If you are asking for fund building in which the fund	0 0 0	nprovements, do you own the	YES NO
Are you seeking other so	ources of funding other than S	ussex County Council?	YES NO
If YES, approximately w	hat percentage of the project'	s funding does the Council grant i	represent? 100%

PRO	GRAM CATEGORY (choose all that ap	ply)
Fair Housing	Health and Human Services	Cultural
Infrastructure ¹	Other Fire/EMS	Educational
Disability & Special Needs Elderly Persons Minority	 Victims of Domestic Violence Low to Moderate Income² Other Residents of Laurel 	Homeless Youth

SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

Laurel Fire Dept. has a John Deere utility Gator outfitted with a EMS unit. This unit is vital in providing quick BLS care to PT's in areas where a Ambulance cannot access. The Laurel Fire Dept. has unique areas where Ambulances cannot make access as in Trap Pond State Park, Laurel High School football Field etc. Transporting this unit safely is a challange as we have no trailer or funding for a trailer to make responses. We are seeking these funds to cover the cost of a trailer to be able to transport this unit where needed to provide a better service to our community and guests.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

	SECTION 4: BUDGET
	REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)
0.0	TOTAL REVENUES
	EXPENDITURES Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)
-\$ 2,968.0	Equipment- Suretrac Utility Trailer
\$ 0.0	TOTAL EXPENDITURES
\$ 0.0	TOTAL DEFICIT FOR PROJECT OR ORGANIZATION

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, t	the Laurel Fire Department	agrees that:
If this grant application is awarded funding, t	the Ladion no Dopartment	agrees that:

(Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

Dec.	SECTION 5: STATEMENT OF ASSUR	
4)	All information and statements in this application are information and belief.	accurate and complete to the best of my
5)	All funding will benefit only Sussex County residents.	
6)	All documents submitted by the applicant are defined review under the Freedom of Information Act of the S	
7)	All funding will be used exclusively for secular purport	ses, i.e., non-religious purposes and shall not
	be used to advance or inhibit religious purposes.	
8)	In the event that the awarded funding is used in v	iolation of the requirements of this grant,
	the awarded funding shall be reimbursed to Susse	ex County within a timeframe designated
	by Sussex County by written notice.	
	hellean Hearn	8-21-17
	Applicant/Authorized Official	Date
	Val-	8/22/17
	Aboy Art	0/25/11
	() Witness	Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government Attention: Gina Jennings PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING

The Sussex County Council makes available a limited amount of funding to non-profit organizations that serve the citizens of Sussex County. Each application for funding shall be evaluated by Sussex County administrative staff and shall be subject to final approval from Sussex County Council.

In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official

Witness

Title 8/22/1-

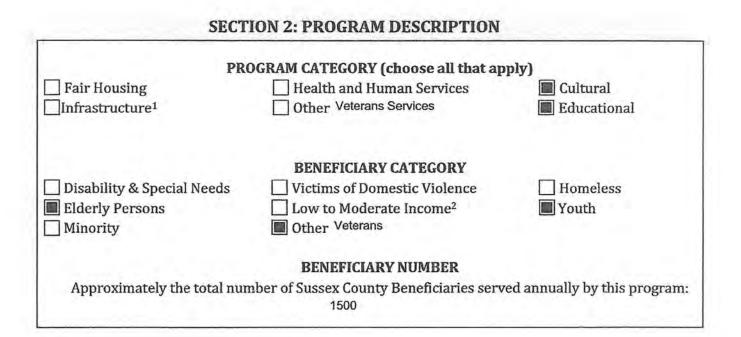
Vincent



SUSSEX COUNTY GOVERNMENT GRANT APPLICATION

	SECTION 1 APPI	LICANT INFORMATION	
ORGANIZATION NAM	E: Laurel Americ	can Legion Post 19	
PROJECT NAME:	5th Annual Ea	stern Shore Veterans Day	Parade
FEDERAL TAX ID:	51-0076956	NON-PROFIT	r: 🔳 yes 🗌 no
DOES YOUR ORGANIZ	ATION OR ITS PARENT	ORGANIZATION HAVE A RELIGIOUS	AFFILIATION?
	🗌 YES 🔳 NO	*IF YES, FILL OUT SECTION 3B.	
ORGANIZATION'S MIS	SION: To assist and se served in the mi	erve Veterans. The parade is to honc ilitary forces.	or all who have
ADDRESS:	12168 Laur	el Road	
	Laurel	DE	19956
	(CITY)	(STATE)	(ZIP)
CONTACT PERSON:	Chris Shire	¢y	
TITLE:	Parade Cha	air	
	302-569-277	70 EMAIL: Sussexvetday@g	amail com

TOTAL FUNDING REQUEST: 3,000.00	
Has your organization received other grant funds from Sussex County Government in the last year?	🗌 yes 🔳 no
If YES, how much was received in the last 12 months?	
If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for?	YES NO
Are you seeking other sources of funding other than Sussex County Council?	YES 🗌 NO
If YES, approximately what percentage of the project's funding does the Council grant r	epresent? 40%



SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

This will be the fifth year for the Veterans Day Parade. We have seen the parade grow each year and have been moved by the response from Veterans across the Eastern Shore. Last year we were honored to have two long term facilities bring their Veterans to the parade. Most of them had severed in WWII. We were brought to tears when one came up to thank us and said he thought they had been forgotten until he saw the parade. Please help us thank those who have served this great country and please let them know that we have not forgotten them!

The funds will be used for travel grants for high school bands that would not be able to attend without the financial assistance. We have been able to increase our band participation each year and we are hoping to increase this year as well. This is an experience they may not have without your help for travel grants. We will advertise the event to increase attendance for the parade. We are fortunate that the media department of Delaware Tech designs and plans our advertising each year as a class project. Other cost include port-a-potties, mailings for donations and participants, trophies, and the National Judges Association. The planning committee is completely volunteer and does not receive any financial reimbursement of any kind.

This event has been supported by the Town of Laurel who covers the cost of barricades, security and personal for traffic and safety control. We have been very proud to have many of our elected officials from across the state attend. We are so proud to have the support of the Sussex County Council as this parade would of never been possible without you.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET	
REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	1,500.00
EXPENDITURES Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Postage and mailing supplies	-\$ 350.00
Travel grants for high school bands	-\$ 1,600.00
Port-a-potties	-\$ 450.00
Advertising	-\$ 1,200.00
Trophies	-\$ 600.00
National Judges Association	-\$ 625.00
Awards for youth entries	-\$ 300.00
TOTAL EXPENDITURES	-\$ 5,125.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 3,625.00

SECTION 4: BUDGET

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Laurel American Legion Post 19 agrees that: (Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

SECTION 5: STATEMENT OF ASSURANCES (continued)

- All information and statements in this application are accurate and complete to the best of my information and belief.
 All funding will benefit only Sussex County residents.
 All documents submitted by the applicant are defined as public documents and available for
- review under the Freedom of Information Act of the State of Delaware.
- All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes.
- 8) In the event that the awarded funding is used in violation of the requirements of this grant, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

Applicant/Authorized Official

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government Attention: Gina Jennings PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING

The Sussex County Council makes available a limited amount of funding to non-profit organizations that serve the citizens of Sussex County. Each application for funding shall be evaluated by Sussex County administrative staff and shall be subject to final approval from Sussex County Council.

In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official

Witness

POST COMMANDIER

VINCENT



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

	SECTION 1 APPLICAN		
ORGANIZATION NAME			
PROJECT NAME:	PURCHASECLOT	illy	
FEDERAL TAX ID:	45-4382079	NON	-profit: 🛛 yes 🗌 no
DOES YOUR ORGANIZA	ATION OR ITS PARENT ORGA	NIZATION HAVE A REL	IGIOUS AFFILIATION?
	□YES ☑NO *IF	YES, FILL OUT SECTION	1 3B.
AT RISK OLAN AT RISK OLAN AT RISK OLAN AT RISK OLAN ADDRESS: SCLOOL A OURGEO SUCCESS STUDIN	(CITY)	(SIAIE)	the lives of then with res do not have abie injection and to boligning igoal start to become is they Suite #2 19966
CONTACT PERSON:	John F. Sm	:tG	
TITLE:	President		
PHONE:	JOD-253-0724 EN	MAIL: JFSMITH, D	each @quail com
	TOTAL FUNDING REQU	JEST: \$2,775.	00

Has your organization received other grant funds from Sussex County Government in the last year?	YES NO
If YES, how much was received in the last 12 months?	4,500
If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for?	□yes ∑no
Are you seeking other sources of funding other than Sussex County Council?	YES NO
If YES, approximately what percentage of the project's funding does the Council grant r	epresent? 5%

PR	OGRAM CATEGORY (choose all that ap	ply)
Fair Housing	Health and Human Services	Cultural
Infrastructure ¹	Other	Educational
	BENEFICIARY CATEGORY	
Disability & Special Needs	Victims of Domestic Violence	Homeless
Elderly Persons	Low to Moderate Income ²	Youth
Minority	Other	/

SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit. Purchase Clothas Program: Clothing our kids strives to improve the lives of at risk children (Prek-stugrade) a me want to provide Appropriate school clothing for less for triveste I ho Children Attending public school in Sussex County, DB. This year we hope to provide 360 dolling packages which provides three new boys/girls school outfils, under garments, shors, socks & A SEASONal COAd. We also provide dolling to children on an As needed basis in the overt of Energiner setuations.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET		
REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	A	
TOTAL REVENUES	447,400,00	2
EXPENDITURES Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)		
CLOTHES PURCHARES	\$ 55, 400.00	
TOTAL EXPENDITURES	\$ 55,400,00 - \$ 8,000-00	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 8,000.00	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the_	Cloning our kids	agrees that:
5 II 5 -	(Name of Organization)	_ 0

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

SECTION 5: STATEMENT OF ASSURANCES (continued)

- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom of Information Act of the State of Delaware.
- All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes.
- 8) In the event that the awarded funding is used in violation of the requirements of this grant, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice:

Applicant/Authorized Official Witness

8/29/19 Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government Attention: Gina Jennings PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM **GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING**

The Sussex County Council makes available a limited amount of funding to non-profit organizations that serve the citizens of Sussex County. Each application for funding shall be evaluated by Sussex County administrative staff and shall be subject to final approval from Sussex County Council.

In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official

Witness

Title

Date



SUSSEX COUNTY GOVERNMENT

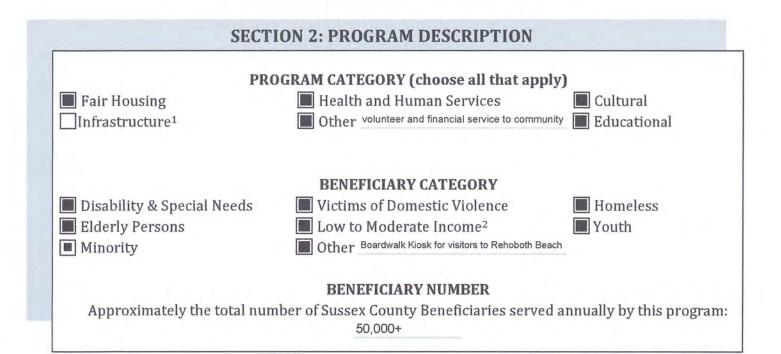
GRANT APPLICATION

	SECTION 1 APPLICANT INI	FORMATION				
ORGANIZATION NAME	Village Improvement A					
PROJECT NAME:	Graduate Intern for VIA Archives					
FEDERAL TAX ID:	51-0258539 NON-PROFIT: YES NO					
DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?						
	🗌 YES 🔳 NO 🛛 *IF YES, F	ILL OUT SECTION 3B.				
ORGANIZATION'S MISSION: The Village Improvement Association (VIA), founded in 1909, is a non-profit organization dedicated to serving the Cape Henlopen community through volunteer service and financial support.						
ADDRESS: Boardwalk and Grenoble Place						
	Rehoboth Beach	DE	19971			
	(CITY)	(STATE)	(ZIP)			
CONTACT PERSON:	Barbara Beatty Development Committee Chair					
TITLE:						
PHONE:	302645-6656 EMAIL: barbarabeatty34497@comcast.net					
	TOTAL FUNDING REQUEST:	\$2,500	-			
Has your organization r the last year?	eceived other grant funds from Su	ssex County Government in	🗌 YES 🔳 NO			
If YES, how much was re	eceived in the last 12 months?					
If you are asking for fund building in which the fur	ding for building or building impro nding will be used for?	ovements, do you own the	YES NO			

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

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

YES NO



SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The Village Improvement Association (VIA) requests a grant of Two Thousand Five Hundred (\$2,500) for the purpose of engaging a Graduate Archive Intern for one (1) year to help direct and work toward the safe keeping, sorting, identifying, creating archive files, as well as purchasing archive safe materials, boxes and folders for storage and creating a means to retrieve records, thus creating a totally safe environment for all of the 108 year old VIA historic records.

All of this remarkable historical material has, for decades, resided within members' homes, attics, garages and other places that are not remotely archive safe. We have formed a committee currently working to retrieve all records, artifacts, and other historic items, as well as to create archive friendly storage until we can engage an Intern. It is our intent to ultimately have the records in a proper, archive-safe location, with the ability to quickly and easily retrieve material and information both on-line and within the Archive itself.

The population to be served would be residents of the Cape Henlopen community, schools, students, historians, City Managers, County Managers, anyone interested in the history of Rehoboth Beach and the Cape Henlopen community.

The history of the Village Improvement Association is quite remarkable and it was acknowledged recently by the Delaware State Archives with an historic marker in front of the VIA building. A second Historic Marker will be placed in front of the Rehoboth Beach Library in September of 2017 celebrating the VIA's founding of the library in 1912.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

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Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET		
REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)		
TOTAL REVENUES	0.00	
EXPENDITURES Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)		
Intern	(2500)	
TOTAL EXPENDITURES	(2500) \$0.00	
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00	

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the <u>Village Improvement Association</u> agrees that: (Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

SECTION 5: STATEMENT OF ASSURANCES (continued) All information and statements in this application are accurate and complete to the best of my 4) information and belief. 5) All funding will benefit only Sussex County residents. All documents submitted by the applicant are defined as public documents and available for 6) review under the Freedom of Information Act of the State of Delaware. 7) All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes. In the event that the awarded funding is used in violation of the requirements of this grant, 8) the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice. August 28, 2017 Applicant/Authorized Official Date Witness

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government Attention: Gina Jennings PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM **GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING**

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In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official

Rah Buff Witness

VIA- Development Committe Chuie Title Cucquet I, 2017 Date Cole 9-6-17



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

	SECTION 1 APPL	ICANT INFORMATION	
ORGANIZATION NAM	E: Nanticoke River Arts	Council	
PROJECT NAME:	Gallery 107		
FEDERAL TAX ID:	74-3259770	NON-PROFIT:	🔳 YES 🗌 NO
DOES YOUR ORGANIZ	ATION OR ITS PARENT	ORGANIZATION HAVE A RELIGIOUS AF	FILIATION?
ORGANIZATION'S MIS	SION: dedicated to prov visual and perfor	*IF YES, FILL OUT SECTION 3B. liver Arts Council is an organization of a moting the appreciation, practice, and a mance arts in western Sussex County a endeavors, educate, and engage our ces.	enjoyment of all and to
ADDRESS:	324 High Street		
	Seaford	DE	19973
	(CITY)	(STATE)	(ZIP)
CONTACT PERSON:	Christina Darby		
TITLE:	NRAC President		
PHONE:	302-629-4321	EMAIL: chrisdarby@att.net	
	TOTAL FUNDING	REQUEST:	
Has your organization the last year?	received other grant fu	nds from Sussex County Government in	YES 🗘 NO
If YES, how much was	received in the last 12 n	nonths?	\$1,500.00
	nding for building or bui unding will be used for?	ilding improvements, do you own the	YES NO
Are you seeking other s	sources of funding other	than Sussex County Council?	YES 🖸 NO
If YES, approximately	what percentage of the j	project's funding does the Council grant	represent? 4%

PRO	OGRAM CATEGORY (choose all that ap)	ply)
🗌 Fair Housing	Health and Human Services	Cultural
Infrastructure ¹	Other	Educational
	BENEFICIARY CATEGORY	
Disability & Special Needs	Victims of Domestic Violence	Homeless
Elderly Persons	Low to Moderate Income ²	Youth
Minority	Other Residents and Tourists	
	BENEFICIARY NUMBER	
Approximately the total num	ber of Sussex County Beneficiaries serve 1400	ed annually by this program

SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The Nanticoke River Arts council has been active in the community since 2007 opening Gallery 107 in 2011 where local artists can show their work and classes can be offered to children and adults. Funds received would go for operational costs of rent, utilities, etc. There is no paid staff as the organization is run solely by volunteers. Our goal is to keep our doors open and continue to serve our community. As you can see by our expenses, we had an operational loss last year of \$300.57.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET	
REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	\$34,732.00
EXPENDITURES Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Rent	-14,400.00
Total utilities	-\$3,371.92
Insurance	-\$704.00
Gallery improvements	-\$1,786.00
Office expense	-\$1,025.45
Instructor and artist commission	-\$8,753.28
Other including advertising, scholarship, fundraiser expense	-4992.40.00
Total outflow	-\$35,033.05
TOTAL EXPENDITURES	0
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	0

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Nanticoke River Arts Council ______agrees that: (Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- 2) For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

SECTION 5: STATEMENT OF ASSURANCES (continued)

- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- All documents submitted by the applicant are defined as public documents and available for 6) review under the Freedom of Information Act of the State of Delaware.
- 7) All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes.
- In the event that the awarded funding is used in violation of the requirements of this grant, 8) the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

Applicant/Authorized Official

9-7-2017

Date

9-7-2017

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government **Attention: Gina Jennings** PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM **GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING**

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Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official Witness

Vincent



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

	SECTION 1 APPLICANT INFORMATION		
ORGANIZATION NAME	Georgetown Fire Co., Inc.		
PROJECT NAME:	Rescue ATV Trailer		
FEDERAL TAX ID:	51-6017696 NON-PROFIT:	🔳 YES 🗌 NO	
DOES YOUR ORGANIZA	TION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS A	FILIATION?	
	☐ YES ■ NO *IF YES, FILL OUT SECTION 3B.		
ORGANIZATION'S MISS	ION: Our mission is to save lives and property to all resider		
	of the Georgetown area and surrounding communities	5.	
ADDRESS:	PO Box 77, 100 S. Bedford St		
ADDRESS.	Georgetown, DE 19947		
	(CITY) (STATE)	(ZIP)	
CONTACT PERSON:	Lewis W. Briggs, III		
TITLE:	President		
PHONE:	302-542-7730 _{EMAIL:} lewis.w.briggs@st	ate.de.us	
	TOTAL FUNDING REQUEST: 3,795.00		
Has your organization r the last year?	eceived other grant funds from Sussex County Government in	YES 🗌 NO	
If YES, how much was re	eceived in the last 12 months?	100,000	
f you are asking for fund building in which the fur	ding for building or building improvements, do you own the ading will be used for?	YES NO	
Are you seeking other sc	ources of funding other than Sussex County Council?	🗌 YES 🔳 NO	
f YES, approximately w	hat percentage of the project's funding does the Council gran	t represent? 100	

PRC	GRAM CATEGORY (choose all that ap	ply)
🗌 Fair Housing	Health and Human Services	Cultural
Infrastructure ¹	Other	Educational
	BENEFICIARY CATEGORY	
Disability & Special Needs	Victims of Domestic Violence	Homeless
Elderly Persons	Low to Moderate Income ²	Youth
Minority	Other	-
	BENEFICIARY NUMBER	

SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The Georgetown Fire Co. (GFC) recently obtained a utility terrain vehicle through the State of Delaware Community Transportation Fund. The vehicle is equipped and prepared for firefighting and medical rescue operations. As you may know, the GFC provides Fire/Rescue and Medical Assist services to not only the Georgetown area but also mutual aide to eight (8) other Fire Companies that surround our fire district.

With the addition of this off road, all-terrain vehicle, it enhances the GFC's abilities to provide service to our communities, numerous schools, higher education campuses, poultry and livestock production and farmland. The GFC will be better able to access off-road locations such as wooded areas and properties that are not easily accessible to fire apparatus. This vehicle may also be used outside of fire/rescue operations such as community events not just in Georgetown but if requested in other communities.

The GFC is requesting funding for a trailer to transport the utility terrain vehicle from the fire station located on S. Bedford St. to the emergencies that it may be requested. After research, the GFC has learned that due to the size and weight of the vehicle a trailer large enough will cost of \$3795

The GFC appreciates the excellent working relationship that we have with Sussex County now and for the many years in the future. We would also be appreciative for any assistance that may be provided with this request.

Sincerely, Lewis W. Briggs, III President Georgetown Fire Co., Inc. B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

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Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET	
REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	0.00
EXPENDITURESPlease enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Aluminum Trailer for ATV transport	\$ 3,795.00
TOTAL EXPENDITURES	\$ 3,795.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 3,795.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the <u>Georgetown Fire Co., Inc.</u> agrees that: (Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
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- 3) No person, on the basis of race, color, or national origin, should be excluded from participation in, be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

4)	All information and statements in this application information and belief.	are accurate and complete to the best of my	
5)	All funding will benefit only Sussex County reside	nts.	
6)	All documents submitted by the applicant are def review under the Freedom of Information Act of t		
7)	All funding will be used exclusively for secular pu	rposes, i.e., non-religious purposes and shall n	
1	be used to advance or inhibit religious purposes.		
8)	In the event that the awarded funding is used	in violation of the requirements of this gran	
8)			
8)	In the event that the awarded funding is used the awarded funding shall be reimbursed to Subv Sussex County by written notice.		
8)	the awarded funding shall be reimbursed to S		
8)	the awarded funding shall be reimbursed to S	ussex County within a timeframe designate	
8)	the awarded funding shall be reimbursed to Sector S	ussex County within a timeframe designate 8/31/17	

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government Attention: Gina Jennings PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING

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For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official

Jamos & Ret

Witness

Title

Date

Wilson 17



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

	SECTION 1 APPLICANT	INFORMATION	
ORGANIZATION NAME	Belmar Public Libra	ary	
PROJECT NAME:	Dinner Theater Fun	draiser for capital camp	baign
FEDERAL TAX ID:	51-0103344	NON-PROFIT:	🔲 YES 🗌 NO
DOES YOUR ORGANIZA	ATION OR ITS PARENT ORGAN	IZATION HAVE A RELIGIOUS AFI	FILIATION?
	YES NO *IF Y	ES, FILL OUT SECTION 3B.	
ORGANIZATION'S MIS	community by providing free research, education, service,	ublic Library seeks to enhance the qualit access to ideas, information, and materi and entertainment in a friendly and weld encourage lifelong learning and nurture	als through coming
ADDRESS:	101 N. Bi-State E	Blvd. (Permanent)	
ADDRESS:	38481 Sussex H	lighway (Temporary)	
	Delmar	DE	19940
	(CITY)	(STATE)	(ZIP)
CONTACT PERSON:	Susan Upole		
TITLE:	Library Director		
PHONE:	302-846-9894 _{EMA}	AIL: susan.upole@lib.de	e.us
	TOTAL FUNDING REQUE	ST: \$1,000	-
Has your organization : the last year?	received other grant funds from	n Sussex County Government in	🗌 YES 🔳 NO
f YES, how much was r	eceived in the last 12 months?		
	ding for building or building in nding will be used for?	nprovements, do you own the	■YES □NO
are you seeking other s	ources of funding other than Su	ussex County Council?	YES NO
f YES, approximately v	what percentage of the project'	s funding does the Council grant :	represent? 11%

and Human Services 🔲 Cultural Public Library 🔲 Educational
Public Library 🔲 Educational
FICIARY CATEGORY
Moderate Income ² Vouth
Delmar Community
s

SECTION 3: PROGRAM SCOPE

A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.

The Delmar Public Library is seeking sponsorship grant funding in support of its dinner theater fundraiser, "Murder on Sunset Boulevard," to be held at the Laurel Volunteer Fire Department community hall on Saturday, October 14. Food for the event will be prepared by the Laurel VFD Ladies Auxiliary. Entertainment is provided by Foot Light Productions from Lewes, Delaware.

All proceeds from the event will support the Library's capital campaign/building fund for the construction and renovation project scheduled for completion in March 2018. As background on the funding for the project: The State of Delaware has provided \$2,775,000 in capital improvements funds made available on a 50% reimbursement basis. The library has over \$1,000,000 provided by foundation grants, individual donations, pledges, business donations, and events, including \$300,000 set aside by the Library Commission. The Library Commission turned to NCALL for a \$1.5 million construction bridge loan and secured \$2 million in permanent financing with a USDA Community Facilities loan on an as-needed basis. The Library's current fundraising goal is to raise \$1.5 million by completion. To date, we have raised \$687,250, with \$812,750 remaining before March.

We are seeking business and individual sponsorships for the event as well. If awarded, Council funds will help defray event costs.

The dinner theater is just one of many fundraising events and community appeals the Library is planning.

Thank you for your consideration.

B. IF RELIGIOUS AFFILIATION WAS CONFIRMED ABOVE IN SECTION 1, PLEASE FILL OUT THE FOLLOWING SECTION. IF RELIGIOUS AFFILIATION WAS NOT CHECKED IN SECTION 1, THIS SECTION MAY BE LEFT BLANK.

A faith-based nonprofit organization is eligible to receive and apply for a grant on the same basis as other nonprofit organizations, with respect to programs which are eligible. In the selection of grantees, the County will not discriminate for or against an organization on the basis of the organization's religious characterization or affiliation. However, certain requests to utilize funding for programs with religious purposes may not be eligible due to constitutional principles of the United States and/or the State of Delaware.

Briefly describe the components of the program that involve religious purposes and the components that involve secular purposes, or non-religious purposes. If both non-religious and religious purposes are involved in the program, this narrative must include the specific actions that will be implemented in order to ensure that the funding is solely used for non-religious purposes and will not be used to advance or inhibit religious or faith-based activities.

After the awarded funds have been made, receipts of the non-religious purchases shall be submitted in accordance with Section 5 below before funds will be disbursed.

SECTION 4: BUDGET	
REVENUE Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	16,000.00
EXPENDITURES Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
PERSONNEL (Foot Light Productions/performers)	-\$ 900.00
HALL RENTAL (Laurel Volunteer Fire Department)	-\$ 350.00
FOOD (Laurel VFD Ladies Auxiliary)	-\$ 6,950.00
OPERATIONS (printing, ads, decorations)	-\$ 1,000.00
INSURANCE	-\$ 1,000.00
TOTAL EXPENDITURES	-\$ 10,200.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 5,800.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Delmar Public Library (Name of Organization) agrees that:

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
- For religious organizations, all accounting records and supporting documentation shall be 2) provided for inspection by Sussex County after the award has been made by County Council but before the funding is released.
- No person, on the basis of race, color, or national origin, should be excluded from participation in, 3) be denied the benefit of, or be otherwise subjected to discrimination under the program or activity funded in whole or in part by these Grant funds.

	SECTION 5: STATEMENT OF ASSU	RANCES (continued)
4)	All information and statements in this application ar information and belief.	e accurate and complete to the best of my
5)	All funding will benefit only Sussex County residents	
6)	All documents submitted by the applicant are define review under the Freedom of Information Act of the	동안 그는 것 <mark>같</mark> 는 것 같은 사람들은 사람들은 것 같은 것 같은 것을 많은 것을 가지 않는 것 같이 있다. 것 같은 것 같
7)	All funding will be used exclusively for secular purpo be used to advance or inhibit religious purposes.	oses, i.e., non-religious purposes and shall not
8)	In the event that the awarded funding is used in	violation of the requirements of this grant
Ê.	the awarded funding shall be reimbursed to Suss	ex County within a timeframe designated
	by Sussex County by written notice.	
	ATTEN Voole	9/11/17
	Applicant/Authorized Official	Date
	Applicant/Authorized Official	Date M11/17

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

Mail: Sussex County Government Attention: Gina Jennings PO Box 589 Georgetown, DE 19947

SUSSEX COUNTY COUNCIL NON-PROFIT GRANT PROGRAM **GUIDELINES FOR SUBMITTAL AND AFFIDAVIT OF UNDERSTANDING**

The Sussex County Council makes available a limited amount of funding to non-profit organizations that serve the citizens of Sussex County. Each application for funding shall be evaluated by Sussex County administrative staff and shall be subject to final approval from Sussex County Council.

In the attached application, each organization must outline its intended uses for the awarded funding and provide a detailed breakdown of the expenses and costs for such uses. Any funding awarded to the organization must be used in substantial conformity with anticipated expenditures of the submitted application.

All expenditures must have adequate documentation and must be expended within one (1) year of award of funds.

For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County Council award.

Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious activities.

In the event that such funding is used in violation of the requirements and assurances contained in this grant application, the awarded funding shall be reimbursed to Sussex County within a timeframe designated by Sussex County by written notice.

I acknowledge and represent on behalf of the applicant organization that I have read and understand the above statements.

Applicant/Authorized Official

Title

Date

<u>aprilon</u> <u>Arlett</u> <u>9-11-17</u>

Council District No. 3 – Burton Tax I.D. No. 334-12.00-24.00 911 Address: 20028 John J. Williams Highway, Lewes

ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A HOUSE CONSTRUCTION AND SALES BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.709 ACRE, MORE OR LESS

WHEREAS, on the 8th day of August 2017, a conditional use application, denominated Conditional Use No. 2110, was filed on behalf of Gaw Venture Group, LLC c/o John Gaw; and

WHEREAS, on the _____ day of _____ 2017, 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. 2110 be ______; and

WHEREAS, on the _____ day of ______ 2017, 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. 2110 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the northwest side of John J. Williams Highway (Route 24), approximately 1,824 feet west of Mulberry Knoll Road and being more particularly described in attached deed prepared by Schab & Barnett, P.A., said parcel containing 0.709 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.

Council District No. 4 – Cole Tax I.D. No. 134-8.00-5.00 (portion of) 911 Address: 30190 Whites Neck Road, Dagsboro

ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RV/PARK MODEL/TRAILER REPAIR AND REFURBISHMENT BUSINESS WITH OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.0 ACRE, MORE OR LESS, OF A 32.16-ACRE PARCEL OF LAND

WHEREAS, on the 15th day of August 2017, a conditional use application, denominated Conditional Use No. 2111, was filed on behalf of Michael Moutzalias; and

WHEREAS, on the _____ day of _____ 2017, 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. 2111 be ______; and

WHEREAS, on the _____ day of ______ 2017, 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. 2111 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 Baltimore Hundred, Sussex County, Delaware, and lying on the south side of Whites Neck Road, approximately 754 feet east of Holts Landing Road, and being more particularly described per the attached legal description prepared by Delaware Surveying Services, said parcel containing 1.0 acre, more or less, of a 32.16-acre parcel of land.

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

Council District No. 3 – Burton Tax I.D. No. 335-8.00-37.01 and 335-8.00-37.00 (portion of) 911 Address: Not Available

ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MEDICAL OFFICE AND ANCILLARY MEDICAL USES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 3.30 ACRES, MORE OR LESS

WHEREAS, on the 17th day of August 2017, a conditional use application, denominated Conditional Use No. 2112, was filed on behalf of Mitchell Family Limited Partnership; and

WHEREAS, on the _____ day of _____ 2017, 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. 2112 be _____; and

WHEREAS, on the _____ day of ______ 2017, 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. 2112 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the southeast corner of Kings Highway and Gills Neck Road and being more particularly described per the attached legal description prepared by Davis, Bowen & Friedel, Inc., said parcel containing 3.30 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.

Council District No. 3 - Burton Tax I.D. No. 334-12.00-57.01 911 Address: Not Available

ORDINANCE NO.

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 6.0576 ACRES, MORE OR LESS

WHEREAS, on the 25th day of August 2017, a zoning application, denominated Change of Zone No. 1845, was filed on behalf of LMHT, LLC; and

WHEREAS, on the _____ day of _____ 2017, 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. 1845 be

; and

WHEREAS, on the _____ day of ______ 2017, 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 of B-1 Neighborhood Business 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 Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the west side of Plantations Road, approximately 841 feet north of John J. Williams Highway (Route 24), and being more particularly described per the attached legal description dated August 9, 2017, said parcel containing 6.0576 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. MARTIN L. ROSS , CHAIRMAN KIM HOEY STEVENSON, VICE CHAIRMAN R. KELLER HOPKINS DOUGLAS B HUDSON ROBERT C. WHEATLEY



Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 10, 2017

Application:	CU 2091 Lands of William Hall	RW
Applicant:	William Hall 17865 Hudson Ln. Georgetown, DE 19947	
Owner:	Penney Hall 23055 Raccoon Ditch Rd. Georgetown, DE 19947	
Site Location:	17865 Hudson Ln. Northeast corner of Raccoon Ditch Rd. and Hudson Ln. (private rd	l.)
Zoning:	AR-1 (Agricultural Residential District)	
Proposed Use:	Contractor office with storage of work trucks	
Comprehensive Land Use Plan Reference:		
Councilmatic District:	Mr. Wilson	
School District:	Indian River School District	
Fire District:	Georgetown Fire District	
Sewer:	Private On-site septic	
Water:	Private On-site well	
Site Area:	4.13 ac. +/-	
Tax Map ID.:	231-11.00-17.00	



JANELLE M. CORNWELL, AICP PLANNING & ZONING DIRECTOR (302) 855-7878 T (302) 854-5079 F janelle.cornwell@sussexcountyde.gov





Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 13, 2017

RE: County Council Report for CU 2091 Lands of William Hall

The Planning and Zoning Department received an application (CU 2091 Lands of William Hall) to allow for Contractor office with storage of work trucks. The Planning and Zoning Commission held a public hearing on August 10, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission the submitted into the record as part of the application were the staff analysis, survey, results of Service Level Evaluation from DelDOT which indicated a Traffic Impact Study was not required, comments from the Sussex County Utility Planning Division, and Sussex Conservation District; that three letters of support and one letter of opposition were also submitted. The Commission found Mr. William Hall was present on behalf of the applicant; that the applicant is applying for a Conditional Use for a contracting office with storage of vehicles and equipment; that Mr. Hall has a small striping business as well as snow removal to supplement his income during the winter months; that he has four employees; that customers do not come to the site; that there are no signs associated with the business; that he has been running this business for ten years; that he is filing the conditional use because of complaints from the neighbor regarding trash, noise and traffic early in the morning and late at night; that there are six vehicles on site including personal; that there is no storage of bulk material outside; that there is a dumpster on site to manage debris; that on slow days staff may work outside on vehicles; that they have had concerns from neighbors regarding back up beepers on vehicles and the beepers have been removed on all but one vehicle; that employees minimize beeper noise on the remaining vehicle by avoiding backing up in the morning; that normal operating hours are typically 7am to 5pm Monday through Friday with occasional earlier or later hours due to weather conditions such as excessive heat or snow; that they work on the occasional Saturday, about once a month; that the operation has changed in the last couple years; that there are 4 additional vehicles on site during work hours; and that he lives on site.

The Commission found that no one spoke in favor of the application.

The Commission found that Alex Kansak and Terry Kansak spoke in opposition of the application and submitted exhibits into the record; that their concerns were related to noise from crews and equipment; that there are 23 piece of equipment on site; that there are piles of trash on site; that they burn trash on site; that there are derelict vehicles on site; that the traffic is a concern; that there is concern with the timing of delivery trucks, the smells from diesel equipment; that the hours are too early with them



County Council Report for CU 2091 Lands of William Hall P a g e \mid 2

beginning at 6:30am and all day during snow removal; that there is a lot of noise from the business; that there are concerns about expansion of the business and the amount of land used for the business; that the area is very rural; that the property is low lying; that Mr. Hall has been filling the low areas, potentially creating drainage issues; that there are no other businesses in the area, only timberland and farmland; that Mr. Hall's activities are impacting theirs and neighboring property values; that Mr. Hall had previously indicated he would be moving his business offsite; however has not done so; and that if the business continues to grow that more noise and traffic will be created.

At the conclusion of the public hearings, the Commission discussed this application.

Motion by Mr. Wheatley, seconded by Mr. Hudson, and carried unanimously to defer action for further consideration. Motion carried 5-0.

At their meeting of August 24, 2017 the Planning Commission discussed the application which has been deferred since August 10, 2017.

Mr. Wheatley stated that he would move that the Commission recommend approval of C/U #2091 for William Hall for a contracting office with storage of vehicles based upon the record made during the public hearing and for the following reasons:

1. The use is situated on a 4.13 acre parcel of land. It is situated among other larger parcels of land. With the conditions and stipulations of approval, the use will not have a negative impact on the neighboring properties.

2. Small family businesses such as this one are appropriate in the Low Density Area according to the Sussex County Land Use Plan. This small painting contractor is consistent with the County's Plan.

3. The use is small, and will not have an adverse impact on the traffic or area roadways.4. The applicant has stated that most of the work is offsite, so there is not a lot of activity that occurs on this site during the day.

5. This recommendation is subject to the following conditions:

- A. The use shall be limited to a contracting office with storage of vehicles for the applicant's contracting, road striping and snow plow business.
- B. During the Applicant's presentation, he stated that he only needed approximately half of the property- the area between Raccoon Ditch Road and a ditch that crosses the property. As a result, the area of the Conditional Use shall be limited to the first 500 feet of the property from Raccoon Ditch Road. The Final Site Plan shall note this boundary line of the Conditional Use.
- C. There shall not be any outside storage of paint or other materials associated with the use.
- D. All lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.
- E. Any dumpsters on the site are to be located near the interior of the property and they screened from the view of neighboring properties and roadways.
- F. The applicant shall comply with all DelDOT requirements for entrance and roadway improvements.
- G. The hours of operation shall be Monday through Saturday from 7:00 a.m. until 5:00 p.m., except during snow events. No deliveries to or from the site shall occur before 7:00 am. No vehicles or equipment shall be operated on the site before 7:00 am, except during snow events.
- H. No signage shall be permitted on the site.

- I. All vehicle parking and large equipment storage areas shall be clearly shown on the Final Site Plan and clearly marked on the site itself. All vehicles, including the applicant's vehicles and employees' vehicles, must only be parked within the designated areas.
- J. No outside burning of any materials shall occur on the site.
- K. The applicant shall install a solid screening fence along the gravel driveway known as "Hudson Lane". The height and type of fence shall be shown on the Final Site Plan.
- L. There shall be no more than 10 vehicles on the site at any one time. Also, no junked, in-operable or untitled vehicles shall be located on the site.
- M. This Conditional Use shall be reviewed in 3 years by the Commission.
- N. Failure to comply with any of these conditions shall be grounds for the termination of the Conditional Use approval.
- O. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Wheatley, seconded by Mr. Hopkins, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 5-0.







Memorandum

To: Sussex County Planning Commission Members From: Janelle Cornwell, AICP, Planning & Zoning Director CC: Vince Robertson, Assistant County Attorney and applicant Date: August 3, 2017 RE: Staff Analysis for CU 2091 Lands of William Hall

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2091 Lands of William Hall to be reviewed during the August 10, 2017 Planning 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.

The request is for a Conditional Use for parcel 231-11.00-17.00 to allow for the use of a contractor office with storage of work trucks. The size of the property to be used for the Conditional Use is 4.13 ac. +/-. The property is zoned AR-1 (Agricultural Residential District).

The 2008 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 indicates that the properties have the land use designation Low Density Areas.

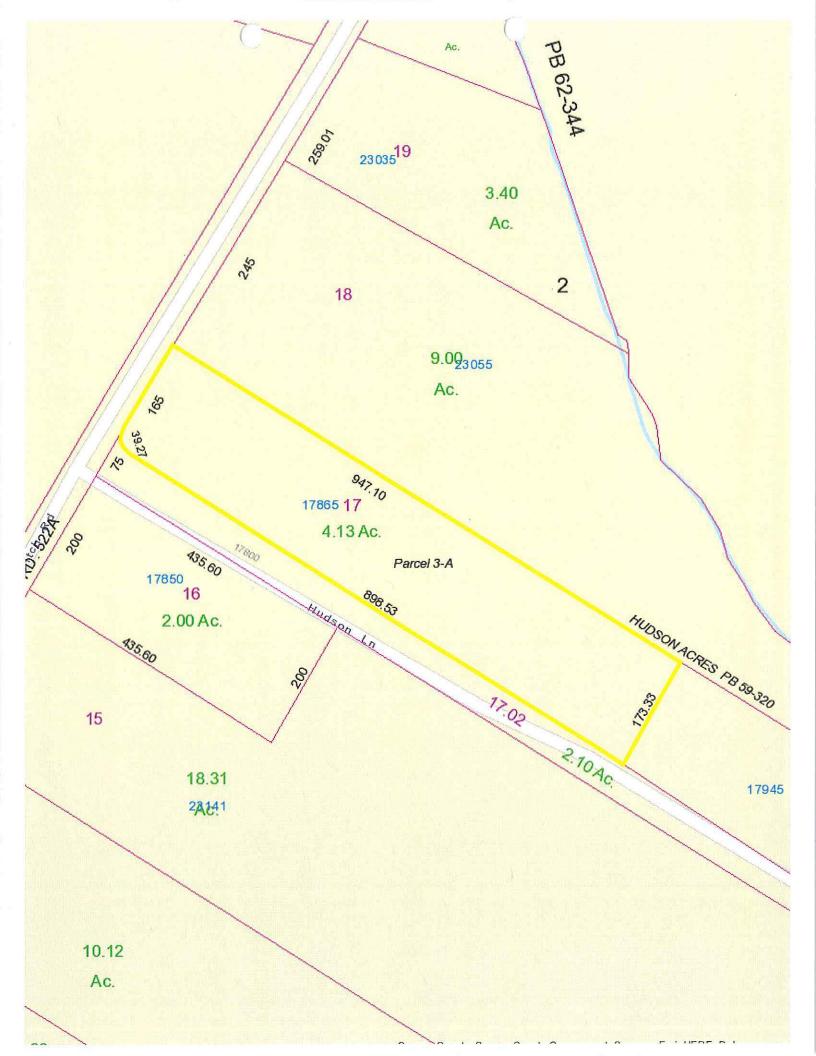
The surrounding land use to the north, south, east and west is Low Density Areas. The Low Density Areas land use designations recognizes that business development should be largely confined to businesses that address the needs of single family residences and agriculture. It should also permit industrial uses that support or depend on agricultural uses. The focus of retail and office should provide convenience goods and services to nearby residents and should be limited in their location, size and hours of operation.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north, south, east and west are zoned AR-1 (Agricultural Residential District). There are no known Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use request to allow for a contractor office with storage of work trucks could be considered consistent with the land use, surrounding zoning and uses. Staff notes that the access drive and this parcel were created as a minor subdivision off a 50 ft. easement.









Introduced 04/25/17

Council District No. 2 – Wilson Tax I.D. No. 231-11.00-17.00 911 Address: 17865 Hudson Lane, Georgetown

ORDINANCE NO.

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CONTRACTING OFFICE WITH STORAGE OF VEHICLES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN NANTICOKE HUNDRED, SUSSEX COUNTY, CONTAINING 4.13 ACRES, MORE OR LESS

WHEREAS, on the 28th day of March 2017, a conditional use application, denominated Conditional Use No. 2091, was filed on behalf of William Hall; and

WHEREAS, on the _____ day of ______ 2017, 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. 2091 be _____; and

WHEREAS, on the _____ day of ______ 2017, 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. 2091 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 Nanticoke Hundred, Sussex County, Delaware, and lying at the southeast corner of Hudson Lane and Raccoon Ditch Road, and being more particularly described per the attached Deed prepared by Schab & Barnett, P.A., said parcel containing 4.13 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.

MARTIN L. ROSS, CHAIRMAN KIM HOEY STEVENSON, VICE CHAIRMAN R. KELLER HOPKINS DOUGLAS B HUDSON ROBERT C. WHEATLEY



Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 10, 2017

Application:	CZ 1825 Clarksville Auto Service, Inc.	DH
Applicant/Owner:	Clarksville Auto Service Center, Inc. 34458 Atlantic Ave. Ocean View, DE 19970	
Engineer:	Karins and Associates 128 W. Market St. Georgetown, DE 19947	
Site Location:	34455 Atlantic Ave. North side of Atlantic Ave. approximately 125 ft. east of H Rd.	Powell Farm
Current Zoning:	AR-1 (Agricultural Residential District)	
Proposed Zoning:	CR-1 (Commercial Residential District)	
Comprehensive Land Use Plan Reference:	d Environmentally Sensitive Developing Areas	
Councilmatic District:	Mr. Cole	
School District:	Indian River School District	
Fire District:	Millville Fire District	
Sewer:	Unknown	
Water:	Unknown	
Site Area:	0.4789 ac. +/-	
Tax Map ID.:	134-11.00-154.00	



JANELLE M. CORNWELL, AICP PLANNING & ZONING DIRECTOR (302) 855-7878 T (302) 854-5079 F janelle.cornwell@sussexcountyde.gov





Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 13, 2017

RE: County Council Report for CZ 1825 Clarksville Auto Service, Inc.

The Planning and Zoning Department received an application (CZ 1825 Clarksville Auto Service, Inc.) to allow for a Change in Zone from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District). The Planning and Zoning Commission held a public hearing on August 10, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission the submitted into the record as part of the application were the staff analysis, survey, comments from the Sussex County Utility Planning Division, Sussex Conservation District, and results of DelDOT Service Level Evaluation which did not require a Traffic Impact Study.

The Commission found that Dev Sitaram, from Karins & Associates, and Kelly Phillips, property owner, were present on behalf of the application; that the property is approximately a half acre; that the applicant wishes to rezone the property from AR-1 to CR-1; that they recently acquired the property from the previous owner; that they own the approximate 4 acre property surrounding the subject property which was previously rezoned; that they previously attempted to rezone the property; however, the previous owner was not interested in selling or rezoning the parcel at the time; that the applicant has since acquired the land; that there are other CR-1 zoned properties within the area; that there are other parcels zoned commercial in the area; and that the area is surrounded by commercial zoning.

The Commission found that no one spoke in favor of or opposition to the application.

At the conclusion of the public hearings, the Commission discussed this application.

Mr. Hudson stated that he would move that the Commission recommend approval the Change of Zone application for Clarksville Auto Service Center, Inc. for a change in zoned from AR-1 to CR-1 based upon the record made during the public hearing and for the following reasons:

- 1. This site is completely surrounded by land that is zoned C-1 General Commercial. This is infill to make the applicant's entire parcel commercially zoned.
- 2. This is an appropriate location for CR-1 Zoning, with frontage at an intersection along Atlantic Avenue.
- 3. The site is located within the Environmentally Sensitive Developing Area under the



County Council Report for CZ 1825 Clarksville Auto Service, Inc. P a g e $~\mid~\mathbf{2}$

County's Comprehensive Plan. CR-1 Zoning is appropriate in this area according to the County Plan.

4. No parties appeared in opposition to this application.

Motion by Mr. Hudson, seconded by Ms. Stevenson, and carried unanimously to recommend approval. Motion carried 5-0.







Memorandum

To: Sussex County Planning Commission Members From: Janelle Cornwell, AICP, Planning & Zoning Director CC: Vince Robertson, Assistant County Attorney and applicant Date: August 3, 2017 RE: Staff Analysis for CZ 1825 Clarksville Auto Service, Inc.

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1825 Clarksville Auto Service, Inc.to be reviewed during the August 10, 2017 Planning 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.

The request is for a Change of Zone for parcel 134-11.00-154.00. The request to change the zoning from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District). The overall size of the project is 0.4789 ac +/-.

The 2008 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 indicates that the properties have the land use designation Environmentally Sensitive Developing Areas.

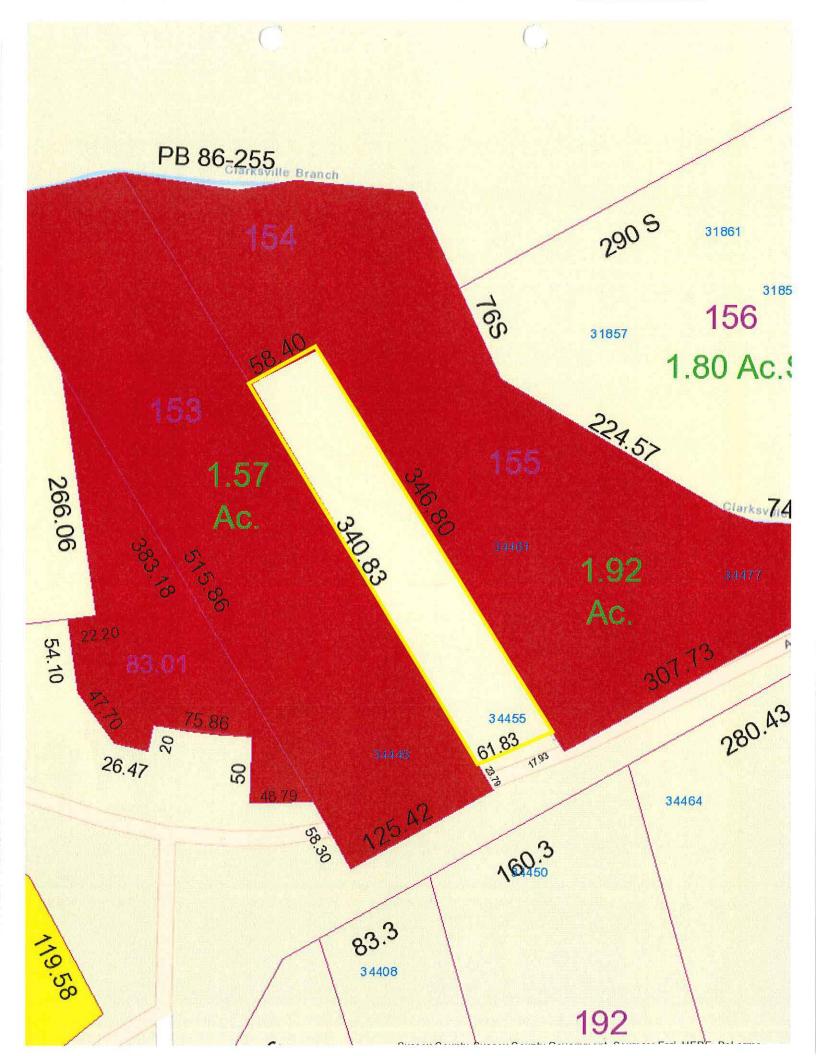
The surrounding land uses to the north, south and east are Environmentally Sensitive Developing Areas. The surrounding land use to the west is Mixed Residential Areas and Environmentally Sensitive Developing Areas. The Environmentally Sensitive Developing Areas land use designation recognizes that a range of housing types should be permitted including single-family homes, townhouses and multi-family units. Retail and office uses are appropriate; however, larger retail and office uses should be located along arterial roads. Institutional uses can be appropriate to provide for convenient services and allow people to work from home. The CR-1 zoning district is a zoning classification that can be considered within the Environmentally Sensitive Developing Areas.

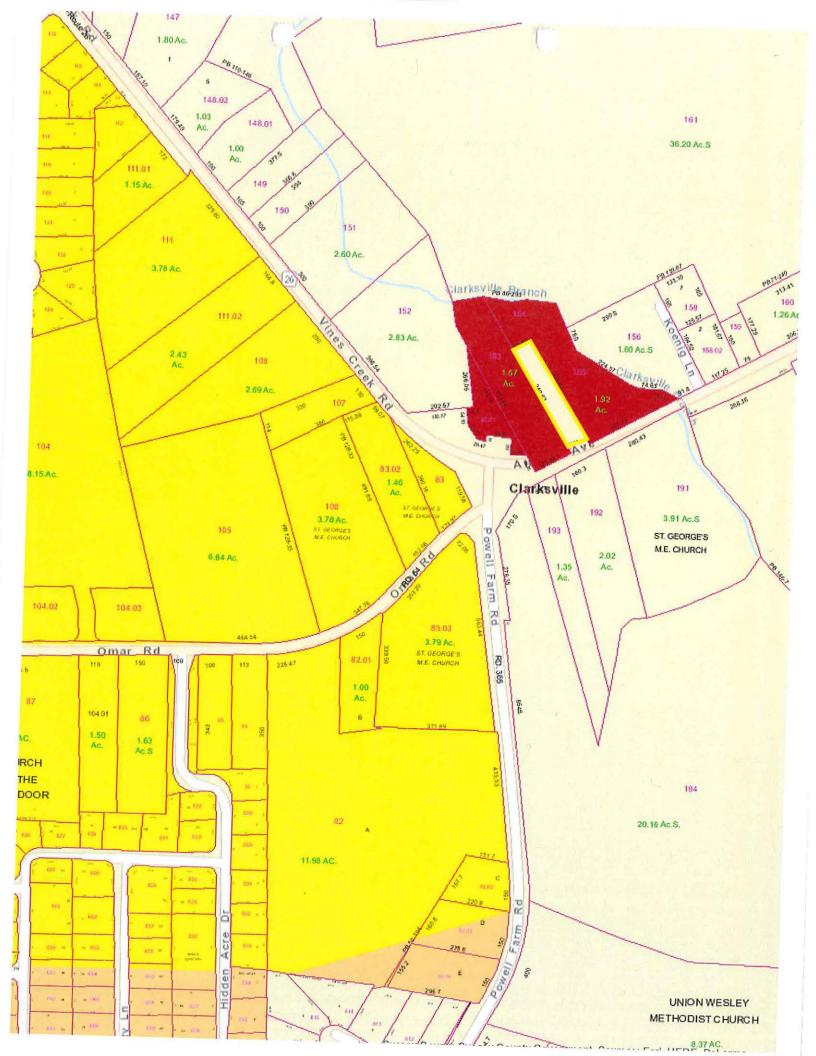
The property is zoned AR-1 (Agricultural Residential District). The properties to the north, east and west are zoned CR-1 (Commercial Residential District). The properties to the south, across Atlantic Ave. are zoned AR-1 (Agricultural Residential District). There are no known Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses the Change of Zone request from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District) would be considered consistent with the land use, surrounding zoning and uses.









Introduced 04/25/17

Council District No. 4 - Cole Tax I.D. No. 134-11.00-154.00 911 Address: 34455 Atlantic Avenue, Ocean View

ORDINANCE NO.

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 0.4789 ACRE, MORE OR LESS

WHEREAS, on the 3rd day of March 2017, a zoning application, denominated Change of Zone No. 1825, was filed on behalf of Clarksville Auto Service Center, Inc.; and

WHEREAS, on the _____ day of _____ 2017, 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. 1825 be

; and

WHEREAS, on the _____ day of _____ 2017, 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 of CR-1 Commercial Residential 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 Baltimore Hundred, Sussex County, Delaware, and lying on the north side of Atlantic Avenue, approximately 125 feet east of Powell Farm Road, and being more particularly described per the attached description prepared by Karins and Associates, said parcel containing 0.4789 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.