



# **Sussex County Council Public/Media Packet**

**MEETING:  
September 26, 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.



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sussexcountyde.gov  
ROBIN GRIFFITH  
CLERK

# Sussex County Council

## AGENDA

SEPTEMBER 26, 2017

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Presentation – Mark Isaacs, Director, University of Delaware Cooperative Extension

### Consent Agenda

1. Wastewater Agreement No. 952-1  
Sussex County Project No. 81-04  
Sussex West – Phase 2  
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
2. Wastewater Agreement No. 623-4  
Sussex County Project No. 81-04  
The Solitude on Whites Creek – Phase 1  
Millville Expansion of the Bethany Beach Sanitary Sewer District
3. Wastewater Agreement No. 446-8  
Sussex County Project No. 81-04  
Hopkins-Pettyjohn Subdivision (aka Red Mill Pond North) – Phase 6  
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District
4. Wastewater Agreement No. 1067  
Sussex County Project No. 81-04  
Americana Bayside – Phase 13  
Fenwick Island Sanitary Sewer District



5. **Wastewater Agreement No. 1027-2  
Sussex County Project No. 81-04  
Silverwoods – Force Main  
Miller Creek Sanitary Sewer District**
6. **Wastewater Agreement No. 685-5  
Sussex County Project No. 81-04  
Overlook (aka Bayville Pointe), Phase 4  
Fenwick Island Sanitary Sewer District**

**Todd Lawson, County Administrator**

1. **Public Interview for Board of Adjustment Member Nominee Bruce Mears**
2. **Sussex Sports Center Foundation Presentation and Discussion**
3. **Administrator’s Report**

**Robbie Murray, EMS Deputy Director of Operations**

1. **DTCC Healthcare Agreement**

**Jim Hickin, Airport Manager**

1. **Aeronautical Obstruction Removal, Project #18-01**
  - A. **Recommendation to Award**

**Janelle Cornwell, Planning and Zoning Director**

1. **Report on information received regarding Conditional Use No. 2075 filed on behalf of Burton’s Pond, LLC (Burton’s Pond Section II)**
2. **Time Extension Request – Change of Zone No. 1747, Oceanside Vista (FKA The Preserve at Cedar Landing)**

**Old Business**

- Conditional Use No. 2085 filed on behalf of Land and Marketing Corporation**

**Hans Medlarz, County Engineer**

1. **Lewes Board of Public Works Construction Agreement**

**John Ashman, Director of Utility Planning**

1. **Request permission to prepare and post notices for the Pratt Annexation of the Sussex County Unified Sanitary Sewer District (Bay View Estates Area)**

## Grant Request

1. Georgetown Little League for sign and other costs

## Introduction of Proposed Zoning Ordinances

### Council Members' Comments

#### 1:30 p.m. Public Hearings

##### Conditional Use No. 2092 filed on behalf of Timothy Robinson

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRODUCE STAND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 5.9 ACRES, MORE OR LESS” (located on the east side of Gordy Road, on the west side of Sussex Highway (U.S. Route 13) at the intersection) (Tax I.D. No. 332-1.00-67.01) (911 Address: 32129 Gordy Road, Laurel)

##### Conditional Use No. 2093 filed on behalf of John Huss

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPE BUSINESS WITH EQUIPMENT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 3.740 ACRES, MORE OR LESS” (located on the northwest corner of Lewes Georgetown Highway (Route 9) and Prettyman Road) (Tax I.D. No. 235-30.00-6.20) (911 Address: None Available)

##### Conditional Use No. 2094 filed on behalf of Robert Downs

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CEMETERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 0.7774 ACRE, MORE OR LESS” (located on the south side of Round Pole Bridge Road, approximately 1.23 miles northeast of Cave Neck Road) (Tax I.D. No. 235-21.00-163.01 (portion of) (911 Address: 15584 Walkabout Lane, Milton)

##### Conditional Use No. 2096 filed on behalf of Capitol Buildings Shed Outlet

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GAZEBOS AND SHED BUSINESS WITH OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.040 ACRES, MORE OR LESS” (located on the south side of Lewes Georgetown Highway (Route 9) approximately 972 feet east of Josephs Road) (Tax I.D. No. 334-4.00-55.00) (911 Address: 28922 Lewes Georgetown Highway, Lewes)

## Adjourn



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Sussex County Council meetings can be monitored on the internet at [www.sussexcountye.gov](http://www.sussexcountye.gov).

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on September 19, 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.

###

## 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](http://sussexcountyde.gov)

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

August 29, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
SUSSEX WEST - PHASE 2  
AGREEMENT NO. 952 - 1

#### DEVELOPER:

Mr. Steven Class  
Colonial Developments, Colonial East T/A  
14 Manor House Lane  
Lewes, DE 19958

#### LOCATION:

RT 9 and CR 265  
Minos Conaway Road and Kings Crossing

#### SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Expansion of the Sussex West leased  
manufactured home community 44 lots

#### SYSTEM CONNECTION CHARGES:

\$254,100.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
11/30/09

Department of Natural Resources Plan Approval  
05/24/10

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 53  
Construction Admin and Construction Inspection Cost – \$27,764.70  
Proposed Construction Cost – \$185,098.00



COUNTY ADMINISTRATIVE OFFICES  
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## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
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HANS M. MEDLARZ, P.E.  
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August 29, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
SOLITUDE ON WHITES CREEK - PHASE 2  
AGREEMENT NO. 623 - 4

#### DEVELOPER:

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

#### LOCATION:

CR 351, 1800 feet Northeast CR 349

#### SANITARY SEWER DISTRICT:

Millville Expansion of the Bethany Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

36 Single Family Lots

#### SYSTEM CONNECTION CHARGES:

\$207,900.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
04/13/16

Department of Natural Resources Plan Approval  
05/02/16

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90  
Construction Admin and Construction Inspection Cost – \$12,665.48  
Proposed Construction Cost – \$84,436.50



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## ENGINEERING DEPARTMENT

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AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
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# Sussex County

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HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

September 08, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
HOPKINS - PETTYJOHN SUBDIVISION (AKA RED MILL POND NORTH) - PHASE 6  
AGREEMENT NO. 446 - 8

#### DEVELOPER:

Mr. Spencer Van Schaack  
Sweetbriar, LLC  
172 Center Street  
Suite 204  
P.O. Box 1686  
Jackson Hole, WY 83001

#### LOCATION:

North East of Intersection Route 9 (Lewes-Georgetown Highway and Route 261 (Sweetbriar Road)).

#### SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

41 single family lots in this phase.

#### SYSTEM CONNECTION CHARGES:

\$236,775.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
01/08/15

Department of Natural Resources Plan Approval  
06/03/15

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 17  
Construction Admin and Construction Inspection Cost – \$17,892.45  
Proposed Construction Cost – \$119,283.00



## 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
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UTILITY PERMITS	(302) 855-7719
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# Sussex County

DELAWARE  
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HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

August 30, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
AMERICANA BAYSIDE - PHASE 13  
AGREEMENT NO. 1067

#### DEVELOPER:

Mr. Chris Garland  
CMF Bayside, LLC  
38017 Fenwick Shoals  
Selbyville, DE 19975

#### LOCATION:

Southeast of intersection between E. Sand Cove  
Rd. and Williamsville Road.

#### SANITARY SEWER DISTRICT:

Fenwick Island Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Residential - 26 townhome buildings

#### SYSTEM CONNECTION CHARGES:

\$150,150.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
08/01/17

Department of Natural Resources Plan Approval  
08/10/17

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 25  
Construction Admin and Construction Inspection Cost – \$14,715.26  
Proposed Construction Cost – \$98,101.75





## ENGINEERING DEPARTMENT

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# Sussex County

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HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

September 12, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
SILVER WOODS FORCE MAIN  
AGREEMENT NO. 1027 - 2

#### DEVELOPER:

Mr. Robert Thornton  
Silverstock WP, LLC  
P. O. Box 449  
Bethany Beach, DE 19930

#### LOCATION:

South of Beaver Dam Road #368

#### SANITARY SEWER DISTRICT:

Miller Creek Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Sanitary Sewer Force Main

#### SYSTEM CONNECTION CHARGES:

\$0.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
01/14/16

Department of Natural Resources Plan Approval  
02/11/16

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 54  
Construction Admin and Construction Inspection Cost – \$38,268.60  
Proposed Construction Cost – \$255,124.00



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DELAWARE

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HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

September 13, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
THE OVERLOOK (AKA BAYVILLE POINTE), PHASE 4  
AGREEMENT NO. 685 - 5

#### DEVELOPER:

Tom Natelli  
Bayville Communities LLC  
506 Main Street  
Gaithersburg, MD 20878

#### LOCATION:

Bayville Road, Fenwick Island  
Southeast end CR 58B

#### SANITARY SEWER DISTRICT:

Fenwick Island Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Residential MR-RPC Development

#### SYSTEM CONNECTION CHARGES:

\$236,775.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
07/25/14

Department of Natural Resources Plan Approval  
08/01/14

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 40

Construction Admin and Construction Inspection Cost – \$27,063.66

Proposed Construction Cost – \$180,424.42



COUNTY ADMINISTRATIVE OFFICES  
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TODD F. LAWSON  
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tlawson@sussexcountyde.gov



**Sussex County**  
DELAWARE  
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:** ***SUSSEX SPORTS CENTER FOUNDATION PRESENTATION AND DISCUSSION***

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**DATE:** September 22, 2017

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During Tuesday's meeting, the Council is scheduled to hear a presentation from the Sussex Sports Center Foundation ("Foundation"). The Foundation is seeking the County's support with its pursuit of constructing a sports facility for County residents and visitors use.

A proposal with specific information is attached along with letters of support and petitions with signatures.

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

TFL/nc

Attachments





# Proposal for Sussex Sports Center in Georgetown, DE

## **Project Background**

This project was conceived in 2016 by an informal group of people ("the Leadership Committee") from Sussex County who had a common desire to create an athletic center in Sussex County which will be open to the public for recreation for the young and the "not so young". The park will have playing fields for soccer, lacrosse, field hockey and informal touch football games, walking trails, pickle ball courts and playground equipment. Sussex County lacks a recreation center on this scale despite the fact there is growing demand from a rapidly growing population of both young families and recent retirees. The plan is to locate the facility towards the middle of the county so youth sports clubs and the citizens throughout the county would have a convenient place to exercise, socialize, practice, hold games and host tournaments with clubs from the mid-Atlantic region. However, unlike the new DE Turf complex in Kent County which primarily focuses on hosting large tournaments, our Sussex County facility will focus on providing a variety of amenities for the recreational use of Sussex County residents and visitors of all ages.

The center will have eight regulation sized soccer/lacrosse fields, paved parking for approximately 350 cars, restroom facilities, easy access from one of the county's major roads and other recreational amenities. One of our leadership group owns significant acreage on the east side of Georgetown, just north of Route 9 on Sandhill Road and he is willing to donate sufficient acreage (70 acres) to accommodate our plans (see preliminary site plans attached).

Recent discussions with Georgetown officials, advocates for a walking trail, proponents of a regulation cross country course (3.1 miles) and a local pickle ball group convinced us to expand our original vision of the sports center. We will still build 8 soccer/lacrosse fields but will add 10-12 pickle ball courts and redesign the walking trail to also serve as a cross country course for high school and middle school competitions. We have also decided to add playground equipment in a safe and visible area for the younger children and grandchildren.

In order to meet the apparent demand for the various uses of the sports center, we have added plans to provide excess parking, a traffic circle for food trucks to park and to serve refreshments and a picnic pavilion for shade and protection from increment weather.

The members of the Leadership Committee are:

Bobby Horsey	Tim Willard	Darren Short	Preston Schell
Zac Crouch	Joe Schell	Steve Burke	Bill West
Tony Sposato	Gene Dvornick	Brian Pettyjohn	Steve Bastianelli

## **Non-Profit Foundation**

We have created a non-profit foundation (the "Foundation") and will establish a board of directors to take full responsibility for the construction, funding, operation, and maintenance of the Sussex Sports Center. Many of the people listed above will be the initial board members with the officers being Steve Burke, Bobby Horsey and Joe Schell. We hope to add others to the board from western and southern parts of Sussex County.

## **Public Support**

As we investigated the need and the public support for a sports and recreation center in Sussex County, we were very encouraged by the responses from Sussex County organizations and individuals to whom we spoke. We talked with the Henlopen Soccer Club (1,300 boys and girls), First State Pickle Ball Club (419 members in Sussex County), Tim Bamforth of Beacon Middle School and president of the Seashore Striders (several hundred recreational runners), the Georgetown Chamber of Commerce, the founder of the Atlantic Lacrosse Club and representatives of several of the Hispanic soccer organizations in Georgetown. All were supportive of our plans. See the letters of support attached.

## **Project Costs**

The estimated cost to build the Sports Center as of August 29, 2017 is \$4,000,000, including a contingency reserve of \$350,000 (see Exhibit 1). In recent weeks, we have added 10-12 pickle ball courts, additional trails for the cross-country runners and walkers, and playground equipment. Some of the larger expenditures are now estimated to be less expensive by approximately \$500,000 so we are leaving the capital cost budget unchanged from our previous estimate shared with to the County Council in July.

To fund the project, we believe a public-private partnership is appropriate given that this facility is to be open to the public at no charge. We plan to raise approximately \$2,200,000 from the private sector (foundations, businesses and individuals) which does not include the value of the land being donated. The public sector (county, state and Georgetown) led by Sussex County will be asked to contribute \$1,800,000 (see Exhibit 2). With the value of the land estimated at \$400,000, the private sector will lead the fundraising by contributing 59% of the total and the public sector will be contributing 41% of the total. Thus far, we have spent \$43,880 from private donors on permitting, legal, accounting and engineering services.

## **Project Timeline and Projected Operating Performance**

If we start construction later this year as planned, the construction of the Sussex Sports Center will be completed in the latter part of 2018 or early 2019. Like any start-up venture, we expect the facility will operate at a loss for the first 2 or 3 years. Assuming more usage by youth sports clubs, Hispanic soccer clubs, summer sports camps, and a few tournaments and special events, and once more people become aware of its location and recreational, assets, we expect to operate at a small profit on or before its fourth year of operation.

Our revenue to pay for the annual staffing and maintenance expenses will come from (1) fees charged to clubs who wish to contract for the usage of a number of our fields on specific days and times for practice and games, for the pickle ball courts for club member play on certain days and times, for schools who wish to have cross-county meets on selected dates, (2) several tournaments during the year, (3) scheduled events for picnics, outdoor receptions, etc. when the park will be closed to the public for a period of time and (4) summer sports camps. We will charge modest fees for these events in exchange for closing the entire center or a portion thereof in exchange for guaranteed usage of the facilities at the specified times. There are significant ancillary benefits to Sussex County and Georgetown specifically when tournament teams come for two or three days as the participants and their families stay in local hotels, eat meals at local establishments, and shop in the local stores.

## Project Proposal

We are requesting a grant from the Sussex County Council of up to \$1,500,000. To encourage Sussex County Council to enter into a partnership with the private sector as represented by the Sussex Sports Center Foundation, the Foundation would invest the initial \$1,500,000 to pay for the early construction activities. Then, in early 2018, the Foundation will draw down the next \$1,500,000 from the County grant to fund continuing construction. At that point, all additional funds needed to complete the project and to cover any cost overruns would come from other public sector donors (State of Delaware and Georgetown) and the Foundation.

Unlike the recently completed DE Turf complex in Kent County, we have no intention of borrowing money to build this project as debt financing would saddle the Sports center with interest and principal repayments, making positive operating results in future years more challenging.

With the financial participation of Sussex County, our Foundation is willing to build, operate and own the sports center for many years into the future as a public facility. However, if Sussex County wishes to take ownership and operating responsibility the sports center within the first five years of its operation, the Foundation will relinquish or turnover ownership to the County for a payment of \$1.00.

The agreement to provide financial support by the Sussex County Council as requested is a very important prerequisite to our fundraising from the State of Delaware and the Town of Georgetown and the private sector (private foundations, businesses and individuals). While the private sector will provide the majority of the funds required, the leadership of the Sussex County Council at this early stage will provide the momentum for a very successful project.

September, 2017

## **SUSSEX SPORTS CENTER FOUNDATION**

### **Capital Cost Budget as of September, 2017**

#### **Uses of Funds**

➤ Land prep, grading and SWM ponds	\$800,000
➤ Sand, Seeding and grow in	130,000
➤ Paving entry road and 350 parking places	500,000
➤ Irrigation system including well and pump	375,000
➤ Construction of turn lanes on Sandhill Rd	275,000
➤ Construction of picnic pavilion with slab	50,000
➤ Entry gate, fencing and netting	250,000
➤ Land at Route 9 intersection	250,000
➤ Landscaping, pond fountains	150,000
➤ Sewer lines and fresh water lines	25,000
➤ Sports equipment (goals) and storage shed	75,000
➤ Walking trail, and foot bridges	225,000

➤ Pickle Ball Courts	\$ 350,000
➤ Playground Equipment	50,000
➤ Engineering and misc. services	110,000
➤ Fees to gov't agencies	<u>35,000</u>
<b>Sub Total</b>	<b>\$3,650,000</b>
➤ <b>Contingency/Operating Reserve</b>	<u><b>350,000</b></u>
<b>Total Uses of Funds</b>	<b>\$4,000,000</b>

**Exhibit 1**



# SUSSEX SPORTS CENTER FOUNDATION

## Capital Cost Budget as of September, 2017

### **Sources of Funds**

#### *Private Sector Donations-59%*

➤ Value of Land (57 acres, a non-cash donation)	\$400,000
➤ Private Foundations	300,000
➤ Sussex County Businesses	900,000
➤ Families and Individuals	<u>1,000,000</u>
	<u>\$2,600,000</u>

#### *Public Sector Contributions-41%*

➤ Sussex County	1,500,000
➤ State of Delaware	275,000
➤ Town of Georgetown	<u>25,000</u>
	<u>\$1,800,000</u>

Total Sources \$4,400,000

**Total Cash Sources \$ 4,000,000**

**Exhibit 2**

## SUSSEX SPORTS CENTER FOUNDATION

### 2019 Operating Budget as of September, 2017

#### Anticipated Revenue

➤ Club fees for scheduled practice and game times	\$100,000
> Tournaments (2)	60,000
➤ Events (4)	20,000
➤ Summer Camps (3)	6,000
<b>Total Revenue in first year</b>	<b>\$ 186,000</b>

#### Anticipated Expenses

➤ Compensation for contract workers	
*Operations and maintenance manager-half time	\$ 35,000
*Groundskeeper- full time	40,000
> Grass cutting contract	60,000
> Waste disposal contract	10,000
> Rental contract for portable toilets	10,000
> Top dressing and over-seeding in Spring	53,000
> Electric bills	15,000
> Insurance	10,000
> Supplies	10,000
<b>Total Expenses in first year</b>	<b>\$243,000</b>

First year deficit \$57,000

## **SUSSEX SPORTS CENTER FOUNDATION**

### **2022 Operating budget as of September, 2017**

#### **Anticipated Revenue**

➤ Club fees for scheduled practice and game times	\$150,000
➤ Tournaments (5)	150,000
➤ Events (7)	35,000
➤ Summer camps (6)	12,000

**Total Revenue in fourth year** **\$347,000**

#### **Anticipated Expenses**

➤ Compensation for contract workers	
*Operations and maintenance manager-half time	\$40,000
*Groundskeepers (2)	90,000
> Grass cutting contract	66,000
> Waste disposal contract	12,000
> Rental contract for portable toilets	17,000
> Top dressing and over-seeding in Spring	60,000
> Electric bills	18,000
> Insurance	12,000
> Supplies	12,000

**Total Expenses in fourth year** **\$327,000**

**Fourth year surplus** **\$20,000**

**Exhibit 4**





THIS PLAN, THE DESIGN AND CONSTRUCTION THEREOF, INCLUDING THE PROVISIONS FOR THE PROVISIONS OF THE SUSSEX COUNTY ZONING ORDINANCE, IS THE PROPERTY OF DAVIS, BOWEN & FRIEDEL, INC. AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE PRIOR WRITTEN PERMISSION OF DAVIS, BOWEN & FRIEDEL, INC.



0 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

1 of 2

Date: APRIL 2017  
 Scale: 1" = 200'  
 Project: TMM  
 Drawn: [blank]  
 Checked: [blank]

**SUSSEX COUNTY MULTI-SPORT COMPLEX**  
**TOWN OF GEORGETOWN**  
**GEORGETOWN HUNDRED, GEORGETOWN DELAWARE**

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 1000 MARKET STREET, SUITE 200  
 WILMINGTON, DELAWARE 19801  
 TEL: 302-441-1111 FAX: 302-441-1112

**CONCEPTUAL SITE PLAN - OVERVIEW**





SUSSEX COUNTY, DELAWARE AND CONSTRUCTION FEATURES SHOWN ARE SUBJECT TO SURVEYOR'S FIELD, INC. AND SHALL BE ALTERED OR DELETED WITHOUT PERMISSION. COPYRIGHT © 2017



Date: APRIL 2017  
 Scale: 1" = 100'  
 Contour: TBM  
 Project:

**SUSSEX COUNTY MULTI-SPORT COMPLEX**  
**TOWN OF GEORGETOWN**  
**GEORGETOWN HUNDRED, GEORGETOWN DELAWARE**

**DAVIS, BOWEN & FRIEDEL, INC.**  
 ARCHITECTS ENGINEERS SURVEYORS  
 500 BROADWAY, SUITE 200  
 BALTIMORE, MARYLAND 21201  
 TEL: 410-528-1400 FAX: 410-528-1401  
 WWW.DBFRIEDEL.COM

# LETTERS OF SUPPORT



DELAWARE GENERAL ASSEMBLY  
STATE OF DELAWARE  
411 LEGISLATIVE AVENUE  
DOVER, DELAWARE 19901

September 12, 2017

Sussex County Council  
2 The Circle Georgetown  
Georgetown, DE 19947

Dear Esteemed Council,

Over the last decade, there have been calls from many who have requested additional recreational opportunities. These are not only newcomers to our area, but also families, retirees and visitors to our beautiful county. The proposed Sussex Sports Center in Georgetown will address this need.

The Sussex Sports Center differs from Sports at the Beach and the new Delaware Turf Complex in Kent County, as it does not focus on just one sport. Additionally, the center will appeal to all ages, having several types of playing fields ranging from lacrosse to pickleball. The addition of a walking trail and playground will be attractive to Sussex Countians for its variety of uses.

We applaud the Leadership Committee on the time and effort they have committed to this project; a project that will benefit the health and wellness of all Sussex Countians. The initiative displayed by these leaders shows tremendous dedication to those we serve daily. We support their endeavors and encourage the County Council to give the Sussex Sports Center its utmost consideration.

With our kindest regards,

Brian G. Pettyjohn  
State Senator, 19<sup>th</sup> District  
District

Ernesto B. Lopez  
State Senator, 6<sup>th</sup> District

Peter C. Schwartzkopf  
State Representative, 14<sup>th</sup>

Daniel B. Short  
State Representative, 39<sup>th</sup> District  
District

David L. Wilson  
State Representative, 35<sup>th</sup> District

Ruth Briggs King  
State Representative, 37<sup>th</sup>

Harvey R. Kenton  
State Representative, 36<sup>th</sup> District  
District

Timothy D. Dukes  
State Representative, 40<sup>th</sup> District

Ronald E. Gray  
State Representative, 38<sup>th</sup>



# Henlopen Soccer Club

Member Delaware Youth Soccer Association

P.O. Box 384, Nassau, Delaware 19969

www.henlopensoccerclub.org

August 15, 2017

Re: Letter of Support for the Sussex Sports Center project



Dear Sussex County Council:

The Board of the Henlopen Soccer Club respectfully submits this letter to you, the Sussex County Council, in support of the proposed Sussex Sports Center located in Georgetown. Our Club recently needed to vacate its previous home in Milton at HOB Elementary due to the School's expansion after nearly 10 years at that location. Since that time, the Club has been operating its recreational and travel programs in multiple locations due to a general lack of adequate facilities for our children to play. This issue creates a number of challenges for the Club parents and players and weakens our ability to provide the players and their families the experience we feel we owe them. There is no opportunity within our geography that offers the unique benefits associated with the proposed Sports Center. Some key benefits we find in this proposal are a more central location attracting more members, well maintained facilities that reduce injury, an inviting parklike setting that offers safe places for families to play or exercise while practices or Recreational programs are running. This complex will also help facilitate large events like tournaments which attract commerce to the surrounding area and help build the reputation of the Club which will have a halo effect on expanding our membership and attracting coaching talent.

Our Club has a membership of approximately 1300 players annually and the membership is almost entirely comprised of Sussex County residents. We are diverse with an estimated average of 20%-25% Hispanic membership and 8% African America. We fund raise and receive charitable contributions to provide financial assistance where needed to ensure that every child that wants to participate is able.

Additional information regarding the Club is below:

- Henlopen Soccer Club is a 501 C3 and is largely comprised of volunteers –paying coaches and limited service providers
- The Club usually operates cash neutral on an annual basis and relies upon charitable contributions and grants to subsidize players in need of financial assistance.
- Approximately 75 players to include recreational and travel receive some form of financial assistance on an annual basis
- The Club was formed in 1996

Our Club board (all county residents) has unanimously approved our intent to make this Sports Center our new home and believe this is a unique opportunity for the Club, the County and other clubs in the area that will benefit in a similar fashion. Please help us support this project. Thank you for your consideration. We remain available to provide more information or to speak live should it improve the probability of your support.

Sincerely,

Stephanie Parker  
President, Henlopen Soccer Club

Steve Burke  
Treasurer, Henlopen Soccer Club

Darren Short  
Board Member

John Robinson  
Board Member

Jason Moshier  
Board Member

Dennis Vieira  
Board Member

David Hutt  
Board Member

Bill Swontek  
Board Member

Jamie Loucks  
Board Member

Chris Nichols  
Board Member

Erik Hochrein  
Board Member

# Seashore Striders

Lewes, DE 19969; [tim@seashorestrider.com](mailto:tim@seashorestrider.com); 302.542.4536

Re: Support for the Sussex Sports Center

Dear Sussex County Council:

*This letter is sent from the Seashore Striders to the Sussex County Council in support of the proposed Sussex Sports Center to be located in Georgetown. The Seashore Strider Board of Directors fully supports this project and the positive outcomes the project will bring to Sussex County and the sport of running in the community.*

*Our club ranges from 90-120 members throughout the year, however our charitable events touch thousands of runners and walkers in Sussex County- always looking for a safe place to walk and jog. This project will put Georgetown and Sussex County in the forefront as far as cross country , trail running, and walking for exercise. We strongly agree that this facility will be used by so many...children, adults, elderly, teams from elementary to travel to college teams across Delmarva.*

*The Seashore Strider board (all county residents) fully supports and want to help this project a reality for the residents of Sussex County to call their home. The Sports Center is greatly needed in our area and the benefits would be amazingly great for so many residents to enjoy. Thank you for your consideration.*

Sincerely,

*Timothy S. Bamforth  
President, Seashore Striders*

*Richard Tikiob  
Board of Directors*

*Rosanna Castillo  
Board of Directors*

*Dr. Lee Masser  
V.President Seashore Striders*

*Dave Frederick  
Board of Directors*

*Derek Shockro  
Board of Directors XC*

*Monique B. Bamforth  
Secretary Seashore Striders*

*Bruce Springer  
Board of Directors*

*Dan MacElrevey  
Board of Directors XC*



## La Super Liga de Delmarva

*The Super League of Delmarva*

P.O. BOX 458

Georgetown, DE 19947

(302) 258-4009

(302) 236-4400

Email: [delmarvasoccer@gmail.com](mailto:delmarvasoccer@gmail.com)

September 18, 2017

To Whom It May Concern:

On behalf of the League, we want to officially support the Sussex Sports Center project. Our league has been in existence for over 10 years. We have over 30 teams which include male, female and also a children academy with approximately 75 kids. The games are played every Sunday for a period of 21 weeks plus playoffs.

We have a great support from the community not only locally but from neighbor states such as Maryland, Washington, New Jersey just to name a few. We have over close to 100 expectators support the league weekly as well as local vendors. We truly believe that this project will not only be beneficial for the community but also for the children of tomorrow. The complex will provide families with options to do fun activities as whole while promoting a healthy lifestyle.

Respectfully Submitted,

Sixto O. Nunez  
Manager Board  
Super Family League of Delmarva  
Cell: (302) 258-4009  
[gersonguox@gmail.com](mailto:gersonguox@gmail.com)

cc. Mario Robles, Gerson Guox



ELITE INDOOR SPORT LLC  
32360 DUPONT BLVD  
DAGSBORO DE 19939  
EMAIL: [eliteindoorsports921@gmail.com](mailto:eliteindoorsports921@gmail.com)  
(302)3572756



Dear Sussex County Council:

:A LETTER OF SUPPORT FOR THE SUSSEX SPORTS CENTER

My name is Homero Hernandez, owner and operator of Elite Indoor Sports. Sussex County has been my home since 1994, graduating from Sussex Central High School in 2009, playing varsity soccer 4 years straight and competing in competitive and recreational sports since then. As a player and coach we have not had a park or facility in Sussex county for people in the community to participate in recreational or competitive soccer.

Sussex Sports Center is a project that my community and business need for people of all ages to have a safe family oriented place to go and enjoy soccer and other sports. That's why Elite Indoor Sports LLC and all our players support the proposed Sports Center in Georgetown DE. My adult league consists of 26 teams about 312 players in one Sunday. A smaller league of 8 women teams on a single Saturday. During the week, we have an estimated 300 players of all ages who participate in recreational soccer. My facility has leagues from November to February. The rest of the year (8 month) we do not have an adequate facility to participate in outdoor soccer. A rough estimate of 800 players leave Elite Indoor Sport at the end of winter with no place to go in the spring and summer seasons. Elite Indoor Sports supports the Sussex Sports Center in Georgetown, and hopes to participate with them in the near future.

Sincerely,

Elite Indoor Sports LLC

A handwritten signature in blue ink that reads "Homero Hernandez". The signature is written in a cursive style with a long, sweeping underline.



Pickleball is the Fastest Growing Sport in the Nation and in  
Sussex County Delaware!



A Letter to the Sussex County Council:

September 1, 2017

**First State Pickleball Club Inc supports the Sussex Sports Center**

The First State Pickleball Club Inc. currently has 420 members who enjoy playing pickleball and we expect the numbers of pickleball players to continue to grow as the number of retirees move into the county. In addition, we are confident that there are twice that number who are not members based on records kept at Sport at the Beach when people play at their indoor facility. There are only 10 permanent pickleball courts that are available only when the J.M. Clayton Elementary School is not in session. Almost all of the facilities where pickleball is played in this county is not conducive for playing because they are not designed for pickleball. Our support for the Sussex Sports Center is 100% because pickleball is the fastest growing sport in the County and in Sussex County.

FSPC has documented the numerous health benefits of pickleball to the citizens of Sussex County. Examples include weight loss, elimination of diabetes medication, increased social interaction, reduced blood pressure and increase in mental acuity. The average player is 65 years old but pickleball appeals to both young and old, as well as being the only multi-generational sport. Pickleball offers great exercise without being too risky, particularly for older players, weight loss opportunity that is fun as compared to going to the gym, or long, lonely walks or runs. The great social feature of pickleball is important to all of the existing and new residents in our County. Pickleball is actually a deal maker for those choosing a place to live and that makes Sussex County an even more appealing place to live. So many people move here not knowing many people but pickleball offers an instant community.

Having a first-class facility open to the public (residents and vacationers), is good for the real estate market, for the hospitality industry, but most importantly the welfare of the Citizens of Sussex County. We believe an investment by the County in the Sussex Sports Center with some of our tax dollars will be a very positive sign that the County Council recognizes the growing need for recreational facilities for its growing population. This opportunity put forth by the Sussex Sports Center Foundation, with the majority of funds coming from the individuals and business of Sussex County, to build and operate the Sussex Sports Center with numerous athletic amenities is too good to forego and very positive and public statement by the County Council of its awareness and actions to provide for the needs of an active healthy community.

The First State Pickleball Club Inc. membership wants your support in getting active recreation into our County.

Sincerely,

Handwritten signature of Kathy Casey in blue ink.

Kathy Casey  
President

Handwritten signature of Artie Holdgerson in blue ink.

Artie Holdgerson  
Vice President

Handwritten signature of Kevin Casey in blue ink.

Kevin Casey  
Treasurer

ELECTRONICALLY SIGNED  
SEE ATTACHED  
Susan Nancarrow  
Secretary

Handwritten signature of Dudley Studer in blue ink.

Dudley Studer  
Member-at-Large

Handwritten signature of Georgia Billger in blue ink.

Georgia Billger  
Member -at-Large

Handwritten signature of Bunny Maher in blue ink.

Bunny Maher  
Member-at-Large



Pickleball is the Fastest Growing Sport in the Nation and in  
Sussex County Delaware!



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September 1, 2017

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The First State Pickleball Club Inc. membership wants your support in getting active recreation into our County.

Sincerely,

Kathy Casey  
President

Artie Holdgerson  
Vice President

Kevin Casey  
Treasurer

*Susan Nancarrow*  
Susan Nancarrow  
Secretary

Dudley Sluder  
Member-at-Large

Georgia Billger  
Member -at-Large

Bunny Maher  
Member-at-Large



---

Pickleball is the Fastest Growing Sport in the Nation and in  
Sussex County Delaware!



9-14-17

Mr. Schell -

Attached are signatures from FSPC members  
and non-members who are pickleball players.  
There are 399 signatures here that only reflect  
a small number of actual players across  
Sussex County. We could probably double  
that number if time permitted.

As the President of FSPC and a USAAPA  
Ambassador for Sussex County, our goal is to grow  
the pickleball community and we are committed to  
achieve that mission.

Nathy Casey

---

P.O. Box 276 Millsboro • DE 19966 • e-mail: [admin@firststatepickleball.com](mailto:admin@firststatepickleball.com) • [www.firststatepickleball.org](http://www.firststatepickleball.org)

FSPC Mission Statement: We strive to promote the development of the sport of pickleball through participation, training and good sportsmanship.

# PETITIONS WITH SIGNATURES



TO: Sussex County Council

FROM: Tim Bamforth; Seashore Striders

RE: Support for County Recreation Project

I write this letter in support of the Sussex Sports Center that is proposed for Georgetown, DE. As the President of the Seashore Striders, I fully support this project and the many positive outcomes that it will have on our community, Sussex County, the youth and adults of our population. The Seashore Striders fully support the running and walking trails of the project where the general public can use the trails for exercise, for healthy competitions, championship caliber cross country competitions, and to create a positive lifestyle through exercise and sport.

Thank You

Tim Bamforth; President Seashore Striders

The following Seashore Strider Members have shown support for this project:

Name	Hometown
1. Tim Bamforth; Seashore Strider President	Lewes, DE
2. Monique Bamforth (V.P.)	Lewes, DE Laurel, DE
3. Angela Brumbley	
4. Morgan Brumbley	Laurel, DE
5. <i>[Handwritten Name]</i>	Rehoboth DE
6. Martin Rodriguez (BoD)	Selbyville, DE
7. Stella T. Castillo	DE
8. Buckley Montini	Rehoboth Beach DE

	<u>NAME</u>			<u>HOMETOWN</u>
1	Tim Bamforth			Lewes, DE
2	Woody Dislaroot			LAUREL DE
3	Jane Bezal			LEWES DE
4	Fran Donaway (BOD)			Herbeson DE
5	Jay Spels			Millsboro DE
6	LEANN WALK			MILTON DE
7	Steve O'Dell			Milton DE
8	Laura Neale			Millsboro DE
9	Mary Anderson			Rehoboth DE
10	James Walker			Rehoboth DE
11	Tim Abbott			Georgetown DE
12	Joy Kusit			NY NY
13	Margaret Colby			Rehoboth DE
14	Jackie (Rigley)			G-town DE
15	Natalie Quigley			G-Town DE
16	Jen Moore			Milton DE
17	BARB KULBABA			MILTON DE
18	MYRNA Abbott			Georgetown DE
19	MARIE HUSTON			R B DE
20	TERRY GRAY			Beaufort Beach DE
21	Alan Guillen			Spartanburg, De
22	John Yanacek			Milford DE
23	Karen Johnston			Bethers DE
24	<del>John Neale</del>			LEWES DE

Live Chat

John Neale

Name

Hometown

25	Robert Fitzgerald	Long Neck, DE
26	Rickard Hugles	Davidsonville, MD
27	Scott Gibson	Goldboro, NC
28	George O'Core	Millboro DE
29	Mahe Kuhlman	Seaford DE
30	L. Marshall	OCEANVIEW, DE
31	Abby Andrews	SEAFORD, DE
32	Teri Overington	Preston MD
33	Carol Beth Lambert	Seaford, DE
34	Doreen Lambert	Seaford, DE
35	Carla Yngre	Delver, DE
36	Kevin Brumbley	Laurel DE
37	Bennett Brumbley	Laurel DE
38	Cathy Hest	Lewes DE
39	John Holt	Melba DE
40	Louis Vasselt	LEWES DE
41	AMSSU SIMON (BOB)	Lewes, DE
42	Paul Kofu	Ocean View, MD
43	Sal MATCH	REHOBOTH BEACH
44	ANAND WYATT	Lewes DE
45	HAROLD WYATT	Laurel DR
46	BRUN JUNGWON	BETHAN DE
47	Mardi Ung	Millboro DE
48	Terry Nechay	Lewes, DE
49	Deborah Klementer	RB, DE

50	Bill Brooks			RB	DE
51	Mike Wilkins			Ann	Ann
52	Kelle Richardson			Bethany	DE
53	DOUG HAWKLAND			RB	DE
54	Marje Warkner			RB	DE
55	LAURA BUCKLAND			RB	DE
56	Abram Hottman			RB	DE
57	Andrea Hottman			RB	DE
58	Paul Montmi			RB	DE
59	Mikayla Cannon			Felton	De
60	Le Masse			LEWES	DE
61	Mike Sewell			Calvin	DR
62	Rosanna Castillo (BOD)			Rehoboth	DE
63	Frank Cannon			Felton	DE
64	Louis B Stocker Jr (BOD)			milton	De
65	Brinda S. Sackey			milton	De.
66					
67					
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72					
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74					





**PETITION for Sussex County Council support and funding of the proposed Sussex Sports Center**

August 16, 2017

To the Sussex County Council

We, the parents, families and supporters of the Henlopen Soccer Club and residents of Sussex County of voting age, agree with the sentiments of our Club's Board expressed in their letter to the Council and we fully endorse the need for a sports center in Georgetown. We do hereby urge the Council to help us embrace this unique opportunity and consider providing its financial support to defray the overall upfront capital costs of this project.










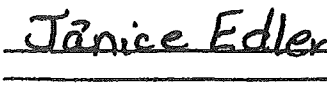
<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
1) <u>Kelly L. Nichols</u>	<u>Kelly L. Nichols</u>	<u>16868 Ole Crisit Run, Milton, DE 19968</u>
2) <u>Jennifer Fannin</u>	<u>Jennifer Fannin</u>	<u>20 Chesterfield Dr Lewes</u>
3) <u>Amanda O'Brien</u>	<u>Amanda O'Brien</u>	<u>338 Putting Way Millsboro</u>
4) <u>Barry Nichols</u>	<u>Barry Nichols</u>	<u>22613 S. Dines Dr. Lewes</u>
5) <u>Lindsey Snyder</u>	<u>Lindsey Snyder</u>	<u>4 Felicia Lane Lewes</u>
6) <u>Jonathan Poole</u>	<u>Jonathan Poole</u>	<u>30855 Ridge Court, Lewes</u>
15) <u>Mary Poole</u>	<u>Mary Poole</u>	<u>30855 Ridge Ct, Lewes</u>
16) <u>Doug Nichols</u>	<u>Doug Nichols</u>	<u>112 Bangor Lane Milton, DE 19966</u>
17) <u>Neal Richard</u>	<u>Neal Richard</u>	<u>811 SE 7th St. Millsboro, DE 19963</u>
18) <u>Christopher Nichols</u>	<u>Christopher Nichols</u>	<u>16868 Ole Crisit Run Milton</u>
19) <u>JoAnne Rigakos</u>	<u>JoAnne Rigakos</u>	<u>32787 VENTA DR. Ocean View DE 19970</u>
20) <u>Michele Brady</u>	<u>Michele Brady</u>	<u>20619 Woodlake Circle, Millsboro, DE 19966</u>

PETITION for Sussex County Council support and funding of the proposed Sussex Sports Center

August 16, 2017

To the Sussex County Council

We, the parents, families and supporters of the Henlopen Soccer Club and residents of Sussex County of voting age, agree with the sentiments of our Club's Board expressed in their letter to the Council and we fully endorse the need for a sports center in Georgetown. We do hereby urge the Council to help us embrace this unique opportunity and consider providing its financial support to defray the overall upfront capital costs of this project.

	<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
21		Amanda Celli	19786 Norwood St Rehoboth Beach, DE 19971
22		DAYNA ZEIGLER	28155 Osprey Ct. Lewes, DE 19958
23		Lisa G. Pearce	34073 Village Way Long Neck, DE 19966
24		Lauren Green	1601 Estate St Delmar DE 19940
25		Dawn Smith	28781 Discount Blvd rd Laurel DE 19956
26		Heather Timmons	410 Plantation Dr Seabrook, DE 19973
27		Leslie Trent	25380 Radish Rd Millstone, DE 19966
28		Tai Hinkle	33 Reed St Hammington, DE 19952
29		Loci STONE	25589 BOATMANS CT LEWES, DE 19958
30		Janice A. Edler	31618 Holly Ct Lewes, DE 19958

**PETITION for Sussex County Council support and funding of the proposed Sussex Sports Center**

August 16, 2017

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	<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
31		Lauren Villar	27218 Buckskin Trl Harbeson, DE
32		Bryan Villar	27218 Buckskin Trl Harbeson, DE
33	Kim C Cox	Kim Cox	37 Woodland Ave Ocean View DE
34		Kati Murphy	30740 Butcher Ln Lewes, DE 19958
35	Lynda Sparks	LYNDA SPARKS	23118 OUTLAW LN Georgetown, DE 19947
36	Cynthia Littell	Cynthia Littell	30938 Butternut Dr., Lewes, DE 19958
37	Paul W Sparks	PAUL SPARKS	23118 OUTLAW LN Georgetown, DE 19947
38	William J. Karrow	William J. Karrow	30938 Butternut Dr., Lewes, DE 19958
39		LAUREN BOYER	21185 Jones St. W. Warrington LEWES DE 19958
40	Amanda Picculli	Amanda Picculli	520 Union St. Milton DE 19968
41	Heather Miller	Heather Miller	107 Dazz Run Dogston, DE 19939
42	Ashley Roberts	Ashley Roberts	26285 Crows Nest Ct Millboro DE 19966
43	Jamanda White	Jamanda White	116 Port Royal Rd Ocean View DE
44	Amanda Cooper		17300 N Village Main Blvd #100 Lewes DE 19958
45	James C Wright	James C Wright	17 Bumpwater Ln Rehoboth Beach DE 19971



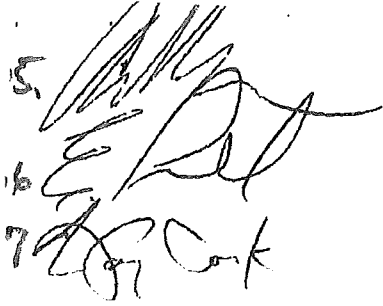
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<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
16	Christopher Pippin	51 Comanche Circle Millsboro DE 19958
17	Brittney Hurley	12318 Cardinal Rd Delmar DE 19940
18	DAVID Judy	228 STONEY BRANCH SEAFORD 12775 Shawnee RD Greenwood DE 19950
49	Yvette Martinec	116 Belle Ayr DR Seaford
50	MARYANN LOVE	16792 Flat Stone Circle Millsboro
51	Tiffany Austin	12722 Baker Mill Rd Seaford
52	Margaret Short	210 N. Poplar St Laurel DE
53	Katie Cline	Edgewood Dr., Jones
54	Paan Brittman	36858 AED BERRY ROAD DELMAR
55	Desilios Dackos	31260 Meadowview Sq. Delmar
56	Valantis Hapsis	10403 County Line Cir Delmar
57	George Sakellis	6800 Woodland Ferry Rd Seaford
58	Chris Norman	312 High St Seaford DE
59	Karen Pedemonte	25634 GREEN BRIAR Rd SEAFORD DE 19973
60	ZAL CARMANTO	112 E. Poplar St. Seaford, DE 11973
61	Brently Chavez	11056 Concord Rd Seaford DE 199
62	David Wroten Jr	110 Loblolly Dr.
63	Eric Paul	SEAFORD DE 19973
64	[unclear]	22998 - [unclear] Hwy

5. 

ANTHONY P. BONANNI  
Gene Powell

20 PENNSYLVANIA AVE MILWAUKEE WI 53234  
10104 MARILYN L. LARSON DE 1995

7. 

HARRY COOK

10654 Seashore Hwy  
Bridgeton, DE 19912

8. 

Ronald Culver

32164 Townsends Rd  
Dagsboro, DE 19939

29. 

Cheryl Schmidt

135209 Coal Mine Rd  
Milledgeville, GA 30650

70. 

31654

Exeter NH 03820  
19958

**PETITION for Sussex County Council support and funding of the proposed Sussex Sports Center**

August 16, 2017

To the Sussex County Council

We, the parents, families and supporters of the Henlopen Soccer Club and residents of Sussex County of voting age, agree with the sentiments of our Club's Board expressed in their letter to the Council and we fully endorse the need for a sports center in Georgetown. We do hereby urge the Council to help us embrace this unique opportunity and consider providing its financial support to defray the overall upfront capital costs of this project.

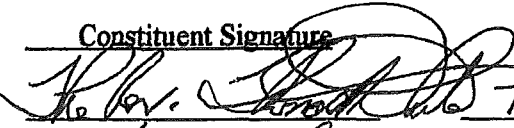
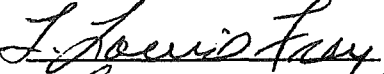



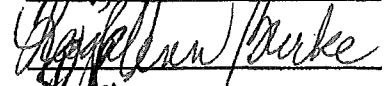


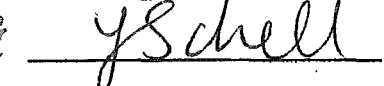
	<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
1		Carrie Lewis	110 E. King Dr. Lewes, DE
12		Chris Myers	211 Union Street Milton DE
73		Ellis Gaulden	38124 E. Chester Ln. Ocean view,
74		Dawn Verosko	10062 Iron Pointe Dr Ex Millsboro, DE
75	Cassi Richards	Cassi J Richards	36255 circle J Farm Rd selbyville DE
76	Jenny Hastings	Jenny Hastings	615 Wilson St. LAUREL, DE 19956
77	Linda Thomas	Linda Thomas	2125 Penn Rd, Lewes DE
'8	Eva Schmitt Robbins		19 E. Green Ln. Milford 19951
79	Marion O'Neill		125 Tobin Dr. Milton, DE 19966
80		Felicia Cannon	531 Union St. Milton DE 19968
81	Rebecca Brosius	Rebecca Brosius	216 Rosebush Ct Milford, DE 19964
82	Kelsea Brown	Kelsea Brown	10003 Griffith Lake Dr Milford, DE 19963
83	Bethany Benz	Bethany Benz	16489 Turtle Hill Rd Milford, DE 19963
84	Romane Fitzgerald	Romane Fitzgerald	30950 Edgewood Dr Lewes, DE 19958
85	E. McQuade	EMILY McQUADE	19912 BEAVER DAM RD LEWES, DE 19958
86	Kirsten Buck	Kirsten Buck	33087 E. Light Dr. Lewes, DE 19958
87	Leah Vetter	Leah Vetter	9 Amberwood Lewes 19951
88	Warren Vetter	Warren Vetter	9 Amberwood Lewes 19958
89	Karen Swonick	Karen Swonick	29 Ancient Oak Dr Lewes
90	Billy Swonick	Billy Swonick	29 Ancient Oak Dr 19958

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	<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
11		The Rev Thomas White	37507 Waverley Dr. RB, DE 1997
2		F. Louise Frey	105 Pond Dr. Milton
3		CLARA M ESCOBAR	125 CARRIAGE Dr, MITCHELL
4		Scott Kresge	22363 Holly Oak Ln Lewes DE 1995
5		Sheila Robinson	33945 Middleton Circle UNIT 8 LEWES, DE 19959
6		Leigh Ann Burke	35787 SPINNAKER CR LEWES 19958
7		STEVEN BURKE	35787 Spinnaker Cir. Lewes 19958
78		Chris Schell	35972 Goshawk Ct, Lewes, DE 19958
99		Lori Schell	35972 Goshawk Ct. Lewes DE 19958















**PETITION for Sussex County Council support and funding of the proposed Sussex Sports Center**

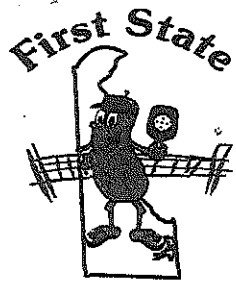
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	<u>Constituent Signature</u>	<u>Name (please print)</u>	<u>Address</u>
140,		Jennifer Carrell	117 W SHORE DR. MILTON
141		Lawrence Schmitt	1804 Cedar Spring Rd Milton
142		Chris Holman	35502 Peregrine Road
143		Julie Holman	35502 Peregrine Road Lewes
144		Eric Schaefer	30851 OAKCREST DR. LEWES 19958
145		JIM FALCONE	13 SOUTHWOOD SHOES DR REH. 19971
146		Christine Falcone	" "
147		Dean Shuttleworth	114 Harbinger Dr. Lewes. DE 19958
148		Maryann Rocco	28476 Deep Branch RD
149		Joseph Rocco	Georgetown DE 19947
150		BLAIR ZYCH	21 LONECREEK DR. LEWES DE 19958
151		Nancy Gordon	27485 Hitching Post Ct. Harrison DE 19951
152		Michelle McGrellis	445 Lorraine Dr Frederica DE 19946
153		Mike Jercell	117 West Shore Dr. Milton
154		Jenni Merkel	119 W. SHORE DR MILTON.





**Pickleball Club**

**Mission Statement**

*We strive to promote the development of the sport of pickleball through participation, training and good sportsmanship.*

P.O. Box 276 Millsboro, Delaware 19966

[www.firststatepickleball.org](http://www.firststatepickleball.org)

e-mail: [admin@firststatepickleball.com](mailto:admin@firststatepickleball.com)

We are collecting signatures from First State Pickleball Club members in an effort to demonstrate the interest and need for permanent indoor and outdoor pickleball courts in Sussex County.

**Background:** The Sussex Sports Center Foundation is asking the County Council for substantial money to fund the Sports Complex in Georgetown that will include 10 -12 outdoor courts. FSPC is also asking for financial support for both indoor and outdoor courts in the Lewes area by utilizing public private partnerships with DNREC.

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Please indicate your support by signing below:

Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member
	SUSAN PITETTI	MILTON	301-751-9174	Suep628@gmail.com	YES
	Jan Johnson	Milton	443-532 6009	rockingjama@gmail.com	NO
	BT FERGUSON CAROL MILLER	LEWES	302.562 2446 562-5123	BOOTS BT 75 @ GMAIL.COM CAMILLER472@GMAIL.COM	YES
	MARGARET A. BOOTH MAGGIE	MILTON	410 424 6141	MAGPIE3808@comcast.net	Y

**Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!**



[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
	Sharon McCombe	S. Bethany	240-460-9553	SMcCombe@msn.com ✓	
	Andrew McCombe	S. Bethany	301-503-7630	Andrewmccombe@aol.com	
	Kim Gruber	Lewes	302-542-1231	Kimagruber@msn.com ✓	
	Anne L. Pikolas	Lewes	717-413-7249	alpikolas@yahoo.com ✓	

**Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!**

2

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50



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TOTAL  
284  
103  
12  
399  
ORIGINALS  
L7

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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
	Lynn Casey	Millsboro DE	732-814-8312	TWOCASEYS@ VERIZON.NET	Yes
	J.K. CASEY	MILLSBORO DE	302-864-4099	TWO CASEYS@ VERIZON.NET	Yes
	Patrick Breen	Lewes DE	434 390 3718	greenpat@who	NO

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
<i>MK</i>	Merrill Cohen	Millsboro	301 404 8304	merrillc73@ gmail.com	N
<i>Kevin Ready</i>	KEVIN READY	Millsboro	302-249-9297	kevinready723@ comcast.net	Y
<i>Sharon</i>	Sharon Ward	Millsboro	301 467 7342	sharon5096@ gmail.com	Y
<i>Laura Burton</i>	LAURA BURTON	Millsboro	302- 752-8890	lburton@ abbottscare.com	N
<i>Dennis Dow</i>	Dennis Dow	Millsboro	302-757-5232	dendow2@ verizon.net	N
<i>Chic Skarrett</i>	Chic Skarrett	Ocean View	302-265-5958	cskarret@gmail.com	N
<i>Beth Fieidin</i>	Beth Fieidin	Long Neck	302-249-6953	brinos1068@ gmail.com	No
<i>Noreen Brown</i>	Noreen Brown	Millsboro	302-236-1233	NBROSNAN@ VERIZON.NET	N
<i>Kathleen DiMauro</i>	KATHLEEN DiMAURO	Millsboro	917-612-9113	KDIMAURO12@ VERIZON.NET	N
<i>Albert Arduo</i>	Albert Arduo	Millsboro	718-873-4339	arduard28@ gmail.com	N

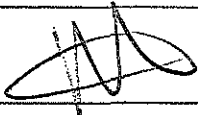
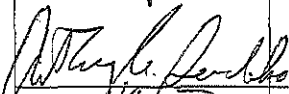
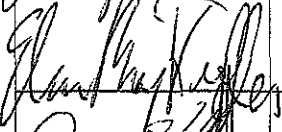



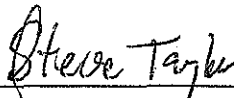
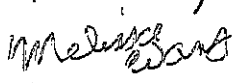
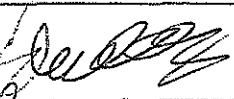
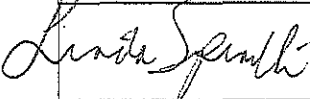
[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
<i>Michael Toney</i>	Michael Toney	Long Neck	610-574-1500	Toney.Michael@gmail.com	NO
<i>Juan Reed</i>	Juan Reed	Long Neck	215-284-3992	mtoneyreed@gmail.com	NO
<i>W. Brosnan</i>	W. Brosnan	Millsboro	917 416 9318	BrosnanW@aol	NO
<i>D. Dierna</i>	D. Dierna	Millsboro	201 707 6080	don.dierna@gmail.com	NO
<i>Core Sacchetti</i>	Core Sacchetti	MILLSBORO	484-354-1535	CSACCH678@gmail.com	NO
<i>P. Dievinger</i>	P. Dievinger	Long Neck	201-637-3628	dievinger@gmail.com	NO
<i>John Lynch</i>	John Lynch	Millsboro	443-235-5697	5ducky@verizon.net	N
<i>Susan Lynch</i>	Susan Lynch	Millsboro	443-235-5697	5ducicy@verizon.net	N
<i>John Feste</i>	John Feste	Millsboro	717-578-6044	<del>2445</del> JFfeste@comcast.net	NO
<i>Donna Feste</i>	Donna Feste	Millsboro	717-495-9946	SPARKLEwithSilverOyghoo.com	NO

Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!



[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	Keith Rahman	MILLSBORO DE		P3ppadbcj7@ATTN.CN	NO
	ANTHONY SARIDAKIS	MILLSBORO DE			NO
	Elsa Bray Kieffer	MILLSBORO DE	301-356-2347	ckief78423@aol.com	YES
	Craig Kieffer	Millsboro DE	701-356-2352	same	Yes
	Rick Wenger	Millsboro DE	703-589-6879	rickwenger@hutchinson.com	NO
	Eileen Sater	Millsboro DE	610-299-6558	esater@comcast.net	NO
	Steve Taylor	Millsboro DE	112-512-7776	Sing4me23@yahoo.com	NO
	Melissa Evans	Hockessin DE	(410) 937-6423	tdmelissae@comcast.net	no
	Adriane Shelby	Kingsport PA	610 239-7255	adrianeelli@hotmaill.com	no
	LINDA SPINCK	MILLSBORO	610-322-8831	LINDSPIN@VERIZON.NET	YES

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
	Vincent Fusco	Millsboro	302-604-9397	VincentFusco86@gmail.com	NO
	Bridget Kalign	Millsboro	302-933-8387	lejunivale15@gmail.com	No
	Brian Howard	Millsboro	302-515-4230	Herman 1074 1127@gmail.com	no
	Carolyn Torres	Millsboro	370-527-7489	—	no
	Richard Arand	Millsboro	302 710 9354	—	no
	Susan Peacor	Georgetown	945-5208 302- <del>75</del>	—	No
	Jessie Gainer	Laurel	302-344-1554	—	no
	Jay Hess	Millsboro	302 947-1550	—	NO
	E. Deenhor	M.L.L. Co.	609 972-8659	—	no
	Don M. L. L.	M.L.L. Co.	3610 2530 + 27	—	no
	Eileen McAnally	West Chester, PA	215-450-3573	—	No
	Joe McAnally	West Chester, PA	610-324-4510	meanallyje@comcast.com	

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
<del>Robert D. Dolter</del>	Robert D. Dolter	Millsboro	703-577-1980	rdolter@gmail.com	No
<del>Sandra D. Dolter</del>	Sandra A. Dolter	Millsboro	703-377-1994	Sandy.dolter@gmail.com	No
<del>Marsha Keller</del>	Marsha Keller	Millsboro	410-833-8177	marsha.keller@gmail.com	No
<del>Russ Pizzuto</del>	Russ Pizzuto	Millsboro	201-906-0291	gerdabasi@pizzuto.com	No
<del>Gerda Pizzuto</del>	GERDA PIZZUTO	MILLSBORO	913-903-3794	" "   "   "	No
<del>Patricia Curran</del>	Barbara Curran	Millsboro	919-539-8688	chicjw@att.net	No
<del>Rick Price</del>	Rick Price	Millsboro	717-979-4023	rprice@hershey.com	No

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3 + 2041

~~24~~ + 10 = 34

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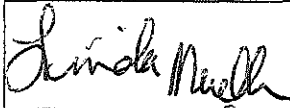

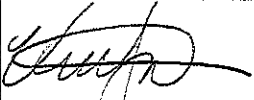
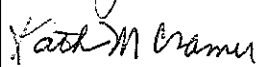

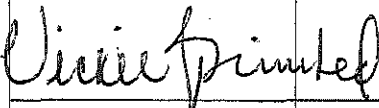

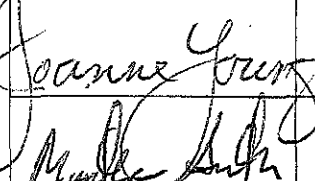


Please indicate your support by signing below:

Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
<i>Sherry King</i>	Sherry King	Frankford	302-249-7579	pbqueen69@gmail.com	Y
<i>Sandi Gum</i>	Sandi Gum	Dagsboro	NA	Gum466@jcom.net	N
<i>Donna Moyer</i>	DONNA MOYER	DEAN VIEW	302-245-0688	DLMoyer71@gmail.com	N

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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	Linda Mueller	Farmwick Island	302 245-0741	Lindaatthebeach @aol.com	Not yet
	Nancy LANGDON	Frankford	302-236-1431		Not yet
	Vickie York	Ocean View	302 542 4457	VICKIE @ VICKIEYORK.COM	Yes
	Kathleen M. Cramer	Bethany Beach	302 236 5630	Kathy Cramer delivers@gmail.com	N
	<del>ROSE WALKER</del> <del>ROSE BY THE SEA</del> ROSE BY THE SEA .COM	Ocean View	302 539 2508	ROSE@ROSES BYTHESEA.COM	N
	Vickie Binsted	Ocean View	302-542-6753	VickieB@ bethanysbest.com	N
	Russ Mullen	Ocean View	302 539 2508	Russ & Rose bythesea.com	N
	Joanne Young	Ocean View	302-381-9291	J1young@ mchsil.com	No
	MARISA SMITH	Ocean View	302-249-0404	marisa.smith@ gotogallo.com	No
	Elize Beth Epps	Ocean View	302-249-5207	beth@becanberggolf. com	No

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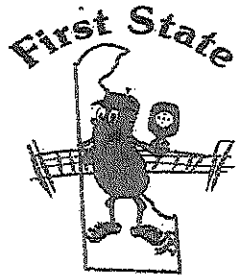
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Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
	CATHERINE L. NULL	SOUTH BETHANY HES	717-413-8185	CATHERINE C BETHANY HULF.COM	NO
	Mary Cerami	Ocean View	302-745-7064	marycerami@gotogalle.com	no
	ELLIE TRAIT	Frankford	401.447.6541	ellietait@yphoo.com	No
	Jeanette Lynn	Ocean City	443-513-4285	jlyear1965aychoo.com	Not Yet
	Angel McCormick	Seaford	(856)701-8313	angelsunstar9@aol.com	
	Laura Hutchins	Oceanview	302-270-6987	hutchins2452@icloud.com	No
	Dawn Hudson	Seabrook	302 381 9511	dawnhuds@aol.com	not yet
	Carol Wayne	Lewes	302-841-8117	carolwaynecares@gmail.com	not yet
	GWEN SMITH	FRANKFORD	302-245-3114	limesjadygwen@aol.com	NO
	Rose Shaffer	Hockessin	302-593-4238	Rossummer26@yahoo.com	NO

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	FRED VALENTE	Ocean View	443-956-8386	FREDVALENTE@COMCAST.NET	YES
	BETH VALENTE	Ocean View	443-910-4407	bethvalente@gmail.com	YES
	Maureen Lathrap	Ocean View	717,903,0753	reemlathrap@gmail.com	yes

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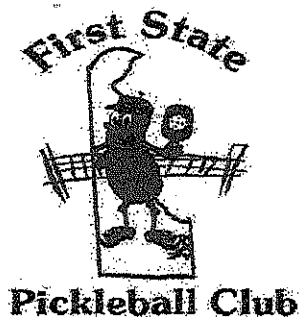
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**Please indicate your support by signing below:**

Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
<i>Margie Courtney</i>	MARGIE COURTNEY	OCEAN VIEW	302-616-2513	MARGIEC1945@gmail.com	YES
<i>Velma Kline</i>	Velma Kline	Ocean View	610-451-4441	VKline44@outlook.com	Yes
<i>Priscilla Shindy</i>	Priscilla Shindy	Ocean View	302-5436		Yes

**Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!**



**Mission Statement**

*We strive to promote the development of the sport of pickleball through participation, training and good sportsmanship.*

P.O. Box 276 Millsboro, Delaware 19966

[www.firststatepickleball.org](http://www.firststatepickleball.org)

e-mail: [admin@firststatepickleball.com](mailto:admin@firststatepickleball.com)

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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
<i>Faye Hartman</i>	Faye Hartman	selbyville	443 235 2719	fayeh1@comcast.net	yes
<i>Pet McClure</i>	Pet McClure	Dagsboro	302-448-5923	ptmclure@hotmail.com	yes

**Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!**



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Pickleball Club

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Please indicate your support by signing below:

Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
<i>Tina Lambert</i>	Tina Lambert	Frankford, DE	302-236-1216	TMLambert63@yahoo.com	Yes
<i>Marie Dispo</i>	Marie Dispo	Ocean View	302-381-2260	mariedispo@gmail.com	Not yet
<i>Donna DiLuzo</i>	DONNA DiLuzo	Georgetown	302-236-0852	ddiluzo@hotmail.com	NO
<i>[Signature]</i>	ANDREW PATTON	LEWES			NO

**Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!**

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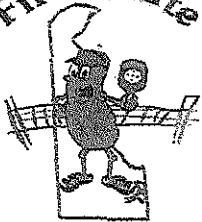
Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
<i>Patty Masten</i>	Patty Masten	Lewes		P.MASTEN@YAHOO	No
<i>Michelle Hearn</i>	Michelle Hearn	Lewes		michelle1@ gotogallo.com	NO
<i>Jayne A. Kline</i>	Jayne A. Kline	Dagsboro		JayneKline80 @gmail.com	NO
<i>Kristen Seal</i>	Kristen Seal	Lewes		sealks@aol.com	No
<i>Rob Brzoska</i>	Rob Brzoska	Rehoboth		comcast andalex@aol.com	NO
<i>Opal Adams</i>	Opal Adams	Rehoboth	302-381-5049		NO
<i>Jennifer Dawson</i>	Jennifer Dawson	Milford	302-339-7527		NO
<i>Alyssa Bishop</i>	Alyssa Bishop	Bridgetown	302-542-4453	Alyssa1172@ gmail.com	NO
<i>Kim Rebrin</i>	Kim Rebrin	Lewes	302-841-7888	Kim 904259110 com	NO
<i>Tricia Ratner</i>	Tricia Ratner	Lewes	302-745-4131	triciaratner@ gotogallo.com	NO

Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!





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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
	DONNA REID	Ocean City	301 518 4187	pdreid2010@comcast.net	Yes
	Catherine Dillon	Frankford	484 459 4308		NO
	Mike Braugh	Ocean View	(610) 804 3507	mbraugh@comcast.net	NO

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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
Lynn Allen	LYNNA SHIREW	Ocean View	(410) 371-4765	lyndalive@gmail.com	Yes
Joel Hinkel	Sill Hinkel	South Bethany	703-216-7017	hinkersj@aol.com	Yes
Rosalie Bird	ROSALIE BIRD	O.C.	215-872-1091		Yes
Joanne Timchalk	Joanne Timchalk	Bethany	302-539-8208	Jtimechalk@verizon.net	Yes
Phil Valle	Phil Valle	O.C. MD	410-274-2786		Yes
Linda Ruffey	Linda Ruffey	South Bethany	301-655-9303	raiford16212@comcast.net	No
Joan Clark	JOAN-ELLEN CLARK	35 South Shore Bethany	673-1238	CLARK.JE@gmail.com	YES
Bill Irvin	Bill Irvin	S. Bethany	301-404-2713	business460@hotmail.com	No
Sandra McGrath	Sandra McGrath	OV	703-919-7059	srmcif@aol.com	Yes
Patricia Fecko	PATRICIA L. FECKO	Millsville	301-266-7045	feckop@yahoo.com	yes

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
<i>Stanley Piesla</i>	STANLEY PIESLA	Millville, DE	516-906-0416	spiesla1@gmail.com	Yes
<i>Don Loring</i>	Don Loring	Fenwick	411 428 8009		
<i>Mrs. D. Brien</i>	MARTHA DADRIGN	Bethany	301-938-2105		No
<i>Robert C. Cull</i>	ROBERT C. CULL	Ocean View	257-240-8527		YES
<i>Dof Jones</i>	D.J. Jones	Ocean View	302-381-2567		Yes
<i>Pat Morris</i>	Pat Morris	Bethany	202-489-7287		No
<i>Joanne Stonesifer</i>	Joanne Stonesifer	Fenwick	410 868 5426		yes
<i>Mary Pat Brough</i>	Mary Pat Brough	Ocean View De	484-432-7151		No
<i>Joanne Brusich</i>	JOANNE BRUSICH	SOUTH BETHANY	484-919-6632		yes
<i>Joe Brusich</i>	JOE BRUSICH	So. BETHANY	302-438-7050		YES


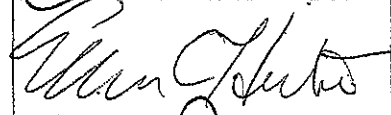
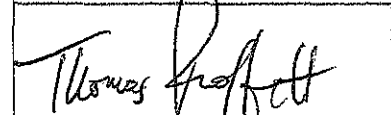
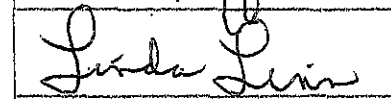
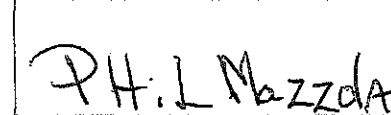
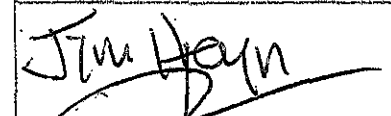
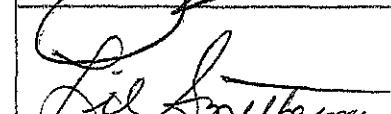
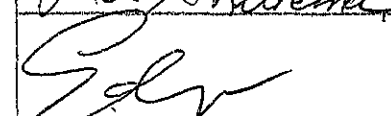
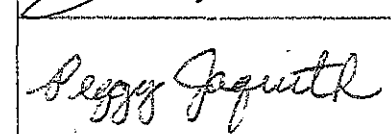
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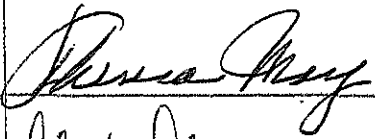

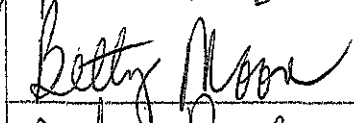
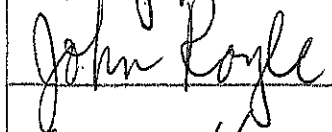
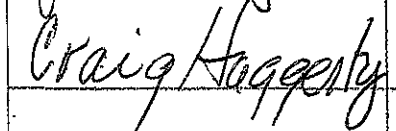
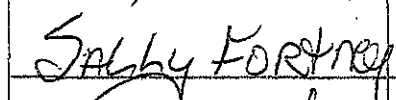


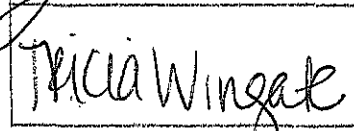
Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
<i>By Cooper</i>	Billie Cooper	Frankford	302-236-5255	billiejcoop@ hotmail.com	NO
Sharon MacRae	Sharon MacRae	OV	—	—	NO
<i>Martha Lowe</i>	Martha Lowe	BB	302- 245-7142	—	NO
<i>Mary Davis</i>	MARY DAVIS	BB	302 537-6665	—	No
<i>Denise McCallion</i>	DENISE McCALLION	Dagsboro	541-4395	—	NO
<i>Maurice Hecksher</i>	MAURICE HECKSCHER	"	610 246-6334	—	Yes
<i>R. Tucker</i>	R. TUCKER HECKSCHER	"	610-724-6170	—	nope
<i>May MacRae</i>	MARY McRAE	Ocean View	(703)237-6228	—	no
<i>Donna Hecksher</i>	DONNA HECKSCHER	Dagsboro	610-337-4157	—	Yes



[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
	James Reichen	Ocean View	(302) 228-3989	jsrchnst@gmail.com	Y
	ELAINE HERBERT	Ocean View	301/641-8809	eherbert1@gmail.com	Y
	Thomas Proffitt	Bethany Beach	410-218-6764	tomproffitt@verizon.net	N
	Linda Linn	Frankford	302 537 6031	l.linn@mchsi.com	N
	Phil Mazza	Millville	239-430-3083	felippmazza5701@comcast.net	Y
	JIM HAYN	Millville	239-431-1769	felippmazza5701@comcast.net	Y
	LIL SMITHEMAN	Ocean View	302 539-3995	—	X
	ELMORE LAMPNER	OCEAN VIEW	443-865-2325	mosemorel@lampner.net	Y
	Peggy Jaquith	Ocean View	301-514-2531	pegjag@aol.com	Y

[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
	THERESA MAY	Ocean View	717-873-8050	TERRIMAY921@AOL	YES
	MIKE MAY	Ocean View	717-873-8090	TERRIMAY93@AOL	YES
	Betty Moore	Ocean View	302-616-2158	BSM1542@gmail	YES
	John Royle	" "	302-521-6817	" "	" "
	Craig Haggerty	Millville	301-661-5185	reph.jack@com <sup>email</sup>	YES
	Sally Fortney	Bethany	703-906-4780	SEFORTNEY@comcast.net	YES
	Carol McCarra	Selbyville	410-456-6296	carolmccarra@msn.com	N
	Roger McCarra	Selbyville	410-446-1151	racket9812@msn.com	N
	TRICIA WINGATE	Dagsbond	307-758-4479	triciawingate@yahoo.com	N

[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
<i>Nancy Colella</i>	NANCY COLELLA	OCEAN VIEW		Yahoo, com dnancolella a	YES
<i>David Colella</i>	DAVID COLELLA	"		" "	NO
<i>Michael Sievert</i>	Michael Sievert	Dagsboro	443-745-6079	msievert12@gmail.com	Yes
<i>Coleen Paul</i>	Coleen Paul	Dagsboro	301-335-0950	coleen.paul44@gmail.com	NO
<i>Diane Blain</i>	Diane Blain	Dagsboro	301-466-0987	Diane.blain1@aol.com	NO
<i>Art Fitch</i>	Art Fitch	Dagsboro	570-854-5125	artfitch@msn.com	Yes
<i>Maryanne Sievert</i>	Maryanne Sievert	Dagsboro	443-745-0716	msievert12@gmail.com	Yes
<i>Kay Fitch</i>	Kay Fitch	Dagsboro	570-441-5412	artfitch@msn.com	Yes
<i>Maryanne Thompson</i>	MARYANNE THOMPSON	DAGSBORO DE		mc21THOME@GMAIL.COM	YES

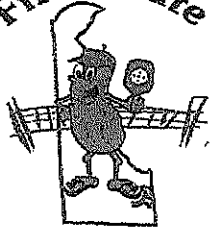


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First State



Pickleball Club

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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
	<del>USAPA Ambassador</del> SUSAN <sup>Lewes</sup> BROOKER	Lewes Delaware	703-203-3841	Suebrooker@ aol.com	Yes
Nancy Sherbow	Nancy Sherbow	Lewes, DE	703.975.1788	nancy.sherbow @comcast.net	Yes
Patricia Ke Kearns	PATRICIA KEARNS	MILLSBORO	302-945-3819	ALOHAWINDLE COMCAST.NET	YES

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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	SANDY DRAPER	RB	609 658 3296	SDraper1 44@gmail.com	✓
	Gerry Councel	Chestertown	410-708-3956	acouncelle yahoo.com	No
	Irma Hernandez	Middletown, DE	302 803 4208	irmah@ gmail.com	Yes
	R. Thompson	Arlington VA	571 275 2814	REIGNA	
	D. Schrak	Easton md.	443 995 5750	dogart45 @yahoo.com	Yes
	Karen Gustafson	Rehoboth Beach	302-236- 8821	Karen@ Move2Rehoboth.com	✓
	Kathy Casey	Rehoboth Beach	301-518- 3434	Kathycasey12 @comcast.net	Y
	AL GRATZ	HILTON	856-305- 1590	algratz2@ gmail.com	✓ YES
	A.W. LINGENFELTER	LEWES	302-339-3480	TLINGEN4@BSCWA	Y
	Eileen Carmody	Budgerville	203-297-4871	Calmodys5@AOL.COM	✓

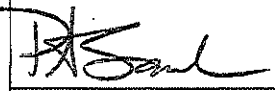
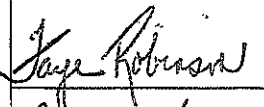
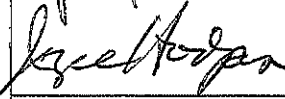
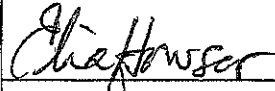



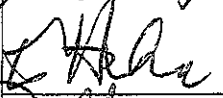
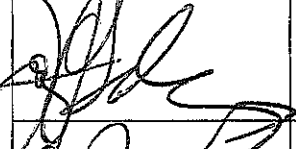

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
Caroline Spurdakis	CAROLINE SPIRIDAKIS	BRIDGEVILLE	302 956-0038	amalosd4@gmail	YES
Robert Costello	ROBERT COSTELLO	BRIDGEVILLE	914-329-4658	costelloem@gmail.com	Yes
Ileana Costello	Ileana Costello	Bridgeville	845-987-4101	ileannow@gmail.com	Yes
Annette Cottrell	Annette Cottrell	Bridgeville	302-337-8600		NO
Linda Pluznick	Linda Pluznick	Bridgeville	817-776-2068	walt.pluznick@gmail	AD
Karla Swarthout	Karla Swarthout	Middleton	302-682-3800	staplehead@mac.com	No
Helen White	Helen White	Arlington, VA	703-472-1076	hmwhite33@verizon.net	No
Marcia Grim	MARCIA GRIM	Milton, DE	717-495-7674	mistimi@hotmail.com	Yes
Greg Grim	Greg Grim	Milton, DE	717-495-3688	greggrim@hotmail.com	Yes
Reg Hilliard	Reg Hilliard	Windsor	540-553-3962		No

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
	Peggy A Sander	Rehoboth Beach	703 303 1114	—	NO
	FAYE ROBINSON	Church Hill, MD	—	—	No
	Joyce Hodgson	Chestertown MD.			NO
	Elia House	21403 Annapolis, MD		eliahouse@gmail.com	No
	LISA Dea	Rehoboth Beach		lisa@happy B.O DAY.com	NO
	Beth Newman	Rehoboth Beach		bethb.newman @comcast.net	NO
	Rosie Whitecraft	Rehoboth Beach		WHITCRAFTRO @AOL.com	NO
	Eileen	Millsboro			Yes
	Joy Goldberg	Annapolis, MD		joy1056@ Verizon.net	NO
	ELEANOR PEEBLES	Millsboro	302-933-8392	ebduckley@yahoo.com	NO






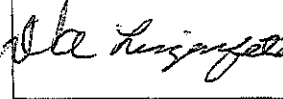
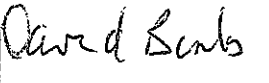

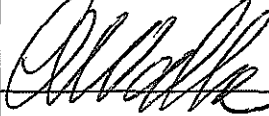

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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
<i>Gayle Carrick</i>	GAYLE CARRICK	Chestertown	410-708-6667	gaylewcarrick@yahoo.com	
<i>Patricia Kearns</i>	PATRICIA KEARNS	MILLSBORO	302-945-3819	ALOHAWIND1@COMCAST.NET	Yes
<i>Gerry Councell</i>	Gerry Councell	Lewes	410-708-3956	accouncell@yahoo.com	Yes
<i>Susan Underwood</i>	Susan Underwood	Rehoboth	607162007	SUnderwood@Comcast.net	
<i>Robert E. Pauson</i>	ROBERT E PAUSON	DENVER BEACH	303-221-2219	robpauson@psl.com	
<i>Chris Marsiglia</i>	Chris Marsiglia	Balto	(410) 971-7098	cmarsiglia@gmail.com	
<i>Judy Rigby</i>	Judy Rigby	Dover, DE	302 (877) 9737	reeseandjud@comcast.net	
<i>Beth Wilson</i>	Beth Wilson	Lewes	302 542-3629	Beth.K.Wilson@comcast.net	Yes
<i>Harold Mills</i>	Harold Mills	Rehoboth	443-336-6003	holly.mills08@gmail.com	Yes
<i>Pat Helgeson</i>	PAT HOLGERSON	MILFORD	302 645-2407	Phogie 569@Comcast.net	

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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	Dale Norris	Clifton Park NY	518 369 1627		<del>Yes</del>
	Dick Allebach	Limerick Pa	610-933 1846		
	Gail Allebach	Limerick PA	610-270-2926		no
<del></del>	M. Richard Viseby	Solomons, MD	724 813 4715		No
	JOSEPH W STEER	Lewes, DE	703-483-1251		Y
	D. Lingertfeffer	Lewes, DE	302-395-1019		NO
	David Banks	Dumer	302-241-0407		NO
	CHARLES DESKIN	NAWK 06 Grack	410-937-5106		No
	ALAN W. MIUS	CLER Mius PA	610-361-1313		NO
	Alan Blanche	Mamland	443-962-2866		NO

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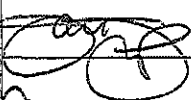
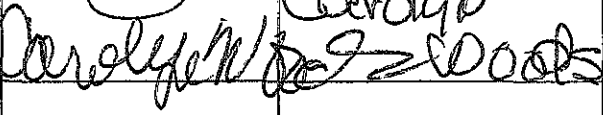
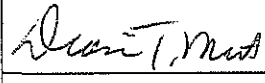
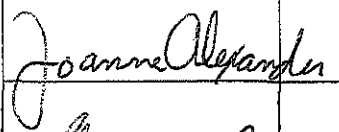
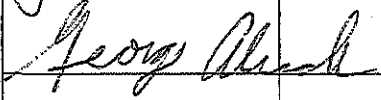
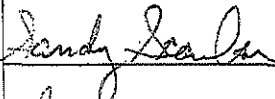
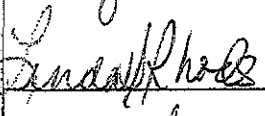
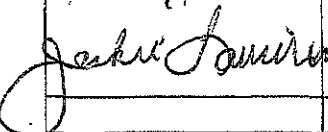
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Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
<i>Mark Davis</i>	MARK DAVIES	Joppa md	443-506-1699		NO
<i>Sue Townsend</i>	SUE TOWNSEND	LEWES	302-593-7962		YES
<i>Annmarie Lind</i>	Ann-marie Chouhmand	Whiteford	<del>443-850-0099</del> 443-850-0099		NO
<i>Tim Laporte</i>	TIM LAPORTE	Newark	302-369-3854		NO
<i>Walter Fluznick</i>	WALTER FLUZNICK	BRIDGEVILLE	817-776-0218		NO
<i>Scott Schuetz</i>	Scott Schuetz	Georgetown	484-433-1467		NO
<i>Mark Merrill</i>	MARK MERRILL	LEWES	302-313-4861		YES
<i>Lisa Hatfield</i>	LISA HATFIELD	Millboro	302-743-5536		NO
<i>Jesse Merrill</i>	Jesse Merrill	Lewes	302-313-4444		
<i>Evelyn Sander</i>	Evelyn Sander	Smyrna	302-632-2896		YES

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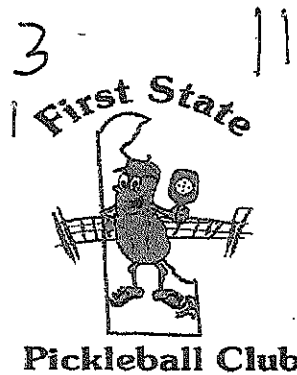


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Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	Linda Smallbrook	Lewes	443-350-0310	lindas@udel.edu	yes
	ANN REED	LEWES	302-228-2159	ANNREED@AOL.COM	Y
	June Jump	Pocomoke	410 241 0131	mej.d.jump@gmail.com	Y
	CAROLYN WOODS	Tampa FL	914 696 6228		N
	Diane T. Martin	W. Dromedary	555-544-0990	martinsplace@rochester.rr.com	N
	Joanne Alexander	Telford, PA	215-723-5418	—	N
	George Alexander	Telford, PA	215-723-5418	—	Y
	SANDY SCANLAN	CHESTER TOWN	410-705-2074	sandy.scanlan@ymail.com	N
	Linda Rhodes	West Grove PA	610 806 2822	linda.rhodes99@verizon.net	Not yet!
	JACKIE LAURICELLA	MIDDLETOWN	(302) 584-6755	PETEJACKIE@VERIZON.NET	N

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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
	Helen Henshaw	Meda	610-360-4688		
	Paul A. Reid	Milton	267-968 5349		
	Rebecca Ziegler	Beira	215-572-2929		

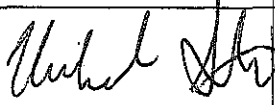
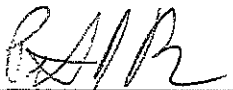
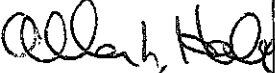

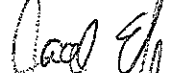





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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	Stephen Melo Schick	Ocean View	908-310-0007	smelofschick123@gmail.com	YES
	Gary Haas	Harre de Grace MD	410 459 8397		Yes
	John DeWider	Essington			NO
	ALAN KUTNER	GLEN MILLS			
	DANA C. AULTMAN	CAMDEN, DE	302-670-0115	DANA, AULTMAN @COMCAST.NET	YES
	DAVE FIRST	Glen Mills	302-588-3023	MRS 6670 @gmail.com	NO
	W. HOZE, LISA	Newark DE	(302) 399-6951		NO
	Phyllis Harwood	Magnolia			
	TIM BANE	LEWES	610-368-4760	TBANERUS2 @AOL.COM	YES
	Adam Simon	Lake View New VA	781 771 1823	—	NO

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member (Yes, or No)
	Michael Stahl	Fairfax VA	203-727-2368	Mahestrada@yplw.com	No
	Pete Rayner	Rehoboth	302-226-9545	frayner52@yahoo	Yes
	Allen L. Haley	Bethany	302-584-8067	ahaley444@gmail.com	Yes
	Georgia A. Billger	Rehoboth	302 227-9210	gojac57@gmail.com	yes
	Jackie Yovankin	Phila PA	-	-	No
	Marcia Grim	Milton, DE	717-495-7674	mistimi@hotmail.com	Yes
	Greg Grim	Milton, DE	717-495-3668	greggrim@hotmail.com	Yes
	Leslie Najjar	St. Louis, MO	314-369-5474	gmail.com leslienanajar@	No
	JERRY STANSBERRY	REHOBOTH	302-253-7598		YES
	Ryan J. Woods	Cromm, NJ	718-909-3818		No

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+12



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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
<i>Karen Oates</i>	KAREN OATES	Rehoboth	845-357-8586	<i>KarenORX @aol.com</i>	No
<i>Daniel W. Johnson</i>	Daniel W. Johnson	Lewes	442-742-5369	<i>dawjohnson @comcast.net</i>	Yes

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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or <u>No</u> )
<i>Colleen Perry</i>	Colleen Perry	Rehoboth Beach	913-809-7937	N+Y Zvette @ GMAIL.COM	
<i>Mignon Muller</i>	Mignon Muller	Lewes	508-221-2838	Mignonmullen@ gmail.com	Yes
<i>Elizabeth Kuchler</i>	<del>Bob</del> Elizabeth Kuchler	Lewes	703 246-8990	cbkuchler@ymca.com	Yes

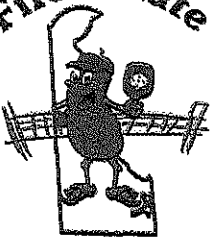
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Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
<i>Paul Jesse Smith</i>	Paul Jesse Smith	Milton	610 724-1111	PAULJESSESMITH@YAHOO.COM	yes
<i>Barbara Beavers</i>	Barbara Beavers	Lewes	202 423-1105	bbnccinde@aol	yes
<i>Clare Tonnessen</i>	Clare Tonnessen	Millsboro	718-878-0469	CLARATONNESSEN@HSN.COM	NO
<i>John Tonnessen</i>	John Tonnessen	Millsboro	718 878 0469		No
<i>Dan Andriola</i>	DAN ANDRIOLA	REHOBOTH BEACH	973 727 9331	DANDRIOLA@AOL.COM	NO
<i>Lisa Andriola</i>	LISA ANDRIOLA		973 727 3148	LISA.ANDRIOLA@GMAIL.COM	NO
<i>Kathy Carrell</i>	KATHY CARRELL	Lewes	202 423 1098	bbnccinde@aol.com	Yes

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First State



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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member
	Brett Stonestly	Fenwick Isl	410 868 5051	brett.stonestly@comcast.net	
	Bob Gaudreau	Millsboro	240-463-4586	RVGaudreau@gmail.com	yes
	CHARLES BIDDLE	MILLSBORO	302-236-7653	CHARLIE@SANDCASTLEREALTY.NET	YES - I THINK #214
	JEFF MARSHALL	S. BETHANY	267-521-6485	twokneefish1@gmail.com	yes

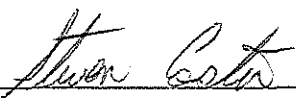
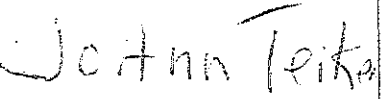
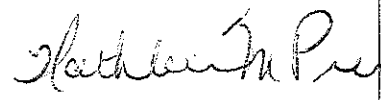
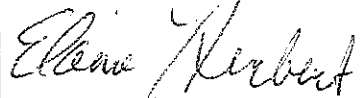
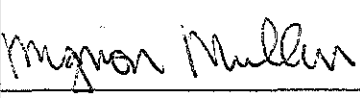
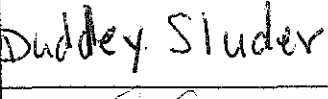
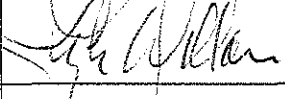
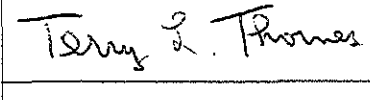
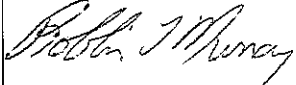
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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
<i>Frederick Duke Gunther</i>	FREDERICK DUKE GUNTHER	SELBYVILLE	410-322-6961	FHG0034@COMCAST.NET	YES
<i>R. Redard</i>	Randy Redard	Milton	302-212-6206	rredard69@gmail.com	Y
<i>Rick Bell</i>	Rick Bell	Georgetown	302-245-1620	rickbell75@comcast.net	Y
<i>Judy S Redard</i>	Judy Redard	Milton, DE	302-249-7772	jsredard@gmail.com	Y
<i>Arthur J. Holgeron</i>	Arthur J. Holgeron	Milton DE	302 6452407	Phogier569@comcast.net	YES
<i>Michael Smith</i>	Michael Smith	Ocean View	410-236-1304	Msmith@AETOWSAUSLE.COM	YES
<i>Kathy Wolfenden</i>	Kathy Wolfenden	S. Bethany	302-438-4913	kwolfenden@comcast.net	NO
<i>Robin Chiddo</i>	Robin Chiddo	Ocean City	202-528-2208	rchiddo@gmail.com	NO
<i>Jim Quinn</i>	Jim Quinn	Ocean View DE	781-848-4568	Jimquinn000@gmail.com	Yes

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[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
	STEVEN COSTA	OCEAN VIEW	302-616-2539	COSTA.FAIRWAY76@GMAIL.COM	✓
	John Teiken	OCEAN VIEW	240-481-4623	JOTeiken@MSN.COM	✓
	Kathleen M. Preston	Bethany Beach	240-476-2056	Kathy.preston411@gmail.com	
	ELAINE HERBERT	Ocean View	301/641-8809	echebert1@gmail.com	✓
	Mignon Mullen	Lewes, DE	508/221-0838	mignonmullen@gmail.com	✓
	Dudley Sluder	Roxana, DE	302-321-9311	snowbirds77@yahoo.com	✓
	Lyle Dillon	Green Pines Inn	443-745-4032	lyledillon@aol.com	✓
	TERRY L. THORNES	OCEAN VIEW, DE	240-645-6488	EWCS3@AOL	
	ROBBIN L. MURRAY	LEWES DE	302-682-5817	RLMURRAY13@ICLOUD.COM	✓

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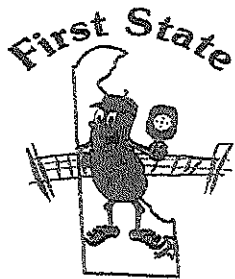
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<i>F. Creamer</i>	Frank Creamer	Berlin	301 233-6245	frkcream @ AOL	YES
<i>D. Creamer</i>	Dee Creamer	Berlin	301- 233-6243	frkcream @ aol.com	NO
<i>Michael Mervis</i>	MICHAEL MERVIS	Rehoboth	412-901- 3120	MHM461310@ AOL	NO
<i>D. Preston Lee</i>	D. PRESTON LEE	LEWES	302 983-5215	dpreston@gmail .com	NO

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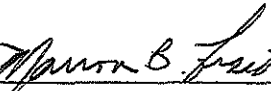

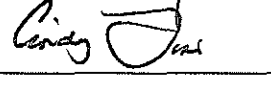
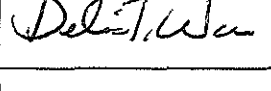
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Signature	Name Printed	Town, you Live In	Contact cell #	Contact e-mail	FSPC Member (Yes or No)
	Stephen T. Donohue	Ocean View	631-357- 1613	stba5@ aol.com	YES
	VADenBaker	Ocean View	410-726- 0121	VADenBaker@ my.com	yes
	Dominick TRAVAGLIA	Ocean View	267 893 0118	domatrar@ medicomb.net	yes

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[Type here]

Signature	Printed Name	Town where you live	Contact Cell #	Contact E-Mail	FSPC Member (Yes or No)
	Bruce Smart	Wilmington	302 519 4573	b.smart.624@gmail	yes
	Robert Zimm	Ocean View	412-748-3936	Bobim44@aol	YES
	PEARLANA M. MORRIS	Rehoboth beach	240-252-8335	linmoltog@gmail.com	yes
	Marion Lisehora	Millsboro	302-858-2421	mlisehora@gmail.com	Yes
	Diane Milam	Rehoboth	302-228-5799	dimilam@msn.com	yes
	Cindy Lint	Rehoboth	240-277-7204	linmarty@gmail.com	yes
	Delia T. Wax	Rehoboth	727-262-1733	delstew@quail.com	Yes

Pickleball is the Fastest Growing Sport in the Nation and in Sussex County Delaware!

[Type here]

Signature	Name Printed	Town where you live	Contact Cell Number	Contact E-Mail	FSPC Member
<i>Laurel Ciccone</i>	Laurel Ciccone	Lewes	203526 3026	<del>jdclkc</del> comcast.net	
<i>J.A. Ciccone</i>	Jan Ciccone	Lewes		comcast.net	
<i>George Temme</i>	George Temme	Lewes	856-979-2584	gtemme@comcast.net	
<i>Jan Temme</i>	Jan Temme	Lewes	609-238-7909	stemme@comcast.net	
<i>Edman Walsh</i>	Edman Walsh	Lewes	610-608-4680	PACJW@rk.com	



# 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

## Memorandum

**To:** Todd Lawson, County Administrator  
**CC:** Robert Stuart, Director SCEMS *RS 9/18/17*  
**From:** Robbie Murray, Deputy Director of Operations  
**Date:** 9/18/2017  
**Re:** Healthcare Provider Agreement – Delaware Technical & Community College (DTCC)

---

During the summer of 2015, the staff of Sussex County Emergency Medical Services (SCEMS) was contacted by staff of Delaware Technical & Community College (DTCC) to gauge our interest in allowing nursing students the opportunity to spend one clinical rotation accompanying our paramedics. We believed the idea had merits and has since proven to be a success for both organizations.

Nursing students completed their first clinical rotation with our paramedics at the Bethany Beach Triathlon on September 20, 2015. Since then, nursing students have shadowed paramedics at many special events and during their regular shifts at paramedic stations across the county. This experience has undoubtedly led to an improved understanding of pre-hospital EMS by those nurses and strengthened the relationship with our fellow healthcare professionals.

DTCC is required to have agreements in place with their clinical partners. This clinical agreement was initiated by DTCC in early 2017, with the assistance of county legal representation Dorian Kleinstuber and Everett Moore, the agreement has been finalized.

The agreement requires the signature of County Council President Michael Vincent and of County Council Clerk Robin Griffith to attest his signature. DTCC Vice President and Owens Campus Director Bobbi Barends is also required to sign the agreement. If she is unable to attend the County Council meeting, I will deliver it to her.

In advance, thank you for your time in this matter and your continued support on a regular basis.

Caring People,  
Quality Service



**Todd F. Lawson**  
Administrator



## **HEALTHCARE PROVIDER AGREEMENT**

This HEALTHCARE PROVIDER AGREEMENT (“Agreement”) is made and entered into by and between, Delaware Technical Community College – Nursing Department (hereinafter referred to as “College”) and Sussex County and the Sussex County Emergency Medical Services (collectively referred to herein as “SCEMS”) (hereinafter collectively referred to as “SCEMS”).

### **PURPOSE**

The purpose of this Agreement is to provide an opportunity for clinical learning and practice for Healthcare Provider Students enrolled in health programs in the Department of Nursing.

### **TERM AND RENEWAL OF AGREEMENT**

This Agreement shall be in effect for a period of two (2) years from the date the last party executed this Agreement, and shall continue thereafter on successive one (1) year terms unless terminated as provided herein.

Either party, with or without cause, may terminate this Agreement by giving notice in writing no less than thirty (30) days prior to the termination date. In the event of a breach of this Agreement or other conduct determined to be detrimental to either party, the Agreement can be immediately terminated. In the event of termination, the parties agree to take reasonable steps to complete the training of any participant/student in the program or clinical.

### **COLLEGE RESPONSIBILITIES**

- I. The College shall be responsible for the selection of qualified students to participate in the clinical experience. Students must have the appropriate educational background and skills consistent with the contemplated educational experience offered by SCEMS. The College shall require that each student assigned to participate in a clinical experience at SCEMS is in good academic standing and is competent to participate in the clinical experience.
- II. The College shall assume full and final responsibility for the planning and implementation of the education program including administration, programming, curriculum content, faculty appointment, and selection of students, matriculation, promotion, and graduation.
- III. The College shall assume responsibility for assignment of students and for planning a schedule of the individual student assignments in each program. Each plan shall include dates, names and numbers of students, time and clinical area to be utilized. The planned schedule shall be submitted to the appropriate office of SCEMS at least one (1) month prior to the experience.

- IV. The College shall have on file the proof of state registration, current licensure, certification, and/or appropriate credentials of all College faculty engaged in clinical supervision.
- V. The College shall assure that participating students have on record a physical examination, including, but not limited to annual tuberculosis screening (“PPD”) or Chest x-ray and immunizations and/or proof of immunity (including history of disease) for measles, mumps, rubella, varicella, poliomyelitis, diphtheria and tetanus according to the standards for adult immunizations as determined by the Delaware Department of Health and Mental Hygiene and the Immunization Practices Advisory Committee.
- VI. The College shall require that the students of the College be vaccinated against the Hepatitis B Virus, unless:
  - 1. Any of the above students have previously had antibody testing which has revealed that such person is immune to the Hepatitis B Virus.
  - 2. For any of such students, competent medical authority stating that the vaccine is contra-indicated for medical reasons; or
  - 3. Written verification that such students have declined immunization of the Hepatitis B vaccination.

The College shall provide documentation to SCEMS that the students have been vaccinated against the Influenza Virus this season, or provide documentation that the student has a medical contraindication to the influenza vaccine (history of severe allergic reaction or history of Guillain-Barre syndrome within 6 weeks of receiving the influenza vaccine). Students who have not received the influenza vaccine this season will be required to wear surgical masks in all patient care areas.

- VII. The College shall require that the students and instructors of the College be certified in cardiopulmonary resuscitation prior to placement at SCEMS if services will be provided in a patient care area and wherever a patient is present.
- VIII. The College shall render such services in compliance with applicable statutes, regulations and rules of federal, state, and other governmental bodies having jurisdiction over SCEMS, including but not limited to, the Occupational Safety and Health Administration (OSHA) the reasonable policies, rules and regulations of SCEMS, the standards of the Joint Commission (JC), and CMS and currently accepted and approved methods and practices.
- IX. The College shall establish and maintain medical and training records for students in accordance with the above referred Occupational Safety and Health

Administration regulations.

- X. The College shall encourage students and faculty to carry appropriate health insurance to cover any illness or injuries which may occur while affiliating at SCEMS. If an injury or illness occurs, the bill will be submitted to the student/faculty's insurance company.
- XI. The College shall assure both students and faculty will comply with the rules and regulations, policies and procedures of SCEMS insofar as they pertain to the activities of both while in SCEMS.
- XII. The College acknowledges that, in the course of performance of its obligations hereunder, it may come into possession of confidential and/or proprietary data and information regarding residents, agents, businesses and activities and, accordingly, shall subscribe to and execute SCEMS' Confidentiality Statement. Independent of said policy, both parties agree to abide by all State and Federal regulations, in particular those associated with Health Insurance Portability and Accountability Act (HIPAA) and the Health Information Technology for Economic and Clinical Health Act (HITECH). If the College receives any individually identifiable health information from SCEMS ("Protected Health Information" or "PHI"), or creates or receives any PHI on behalf of SCEMS, the College shall maintain the security and confidentiality of such PHI as required by SCEMS or by applicable laws and regulations.
- XIII. The students and faculty shall receive education on protected health information (PHI) and the College shall report to SCEMS any breach of PHI (whether unsecured) without unreasonable delay and in no case later than five (5) business days after discovery of the breach. Such report shall include at least the following:
  - 1. The identity of each individual whose unsecured PHI was accessed, acquired, used, or disclosed during the breach.
  - 2. A brief description of what happened.
  - 3. The date of discovery of the breach.
  - 4. The nature of the unsecured PHI that was involved.
  - 5. Any steps individuals whose unsecured PHI was subject of the breach should take to protect themselves from potential harm resulting from the breach.
  - 6. A brief description of what the College is doing to investigate the breach to negotiate harm to individuals whose unsecured PHI was subject to the breach and to protect against any further breaches.
- XIV. During the term of this Agreement, the College will provide SCEMS with evidence of each student's and each faculty member's Professional Liability Insurance with limits of at least One Million Dollars (\$1,000,000.00) per occurrence and Three Million Dollars (\$3,000,000.00) annual aggregate in connection with the activity that is the subject of this Agreement.

- XV. The College shall assure that students will conform to a mutually agreed upon dress/uniform requirement.
- XVI. Neither students nor College faculty may conduct research involving any resident at SCEMS without prior written permission by SCEMS and written informed consent of the resident.
- XVII. Subject to Paragraph XV under SCEMS Responsibilities, the College agrees to provide at the request of SCEMS, a student's directory information, i.e., name, address, and telephone number, should such information be needed by SCEMS for the purpose of conducting an investigation relating to student's activities under this Agreement. All other information regarding the student shall be provided to SCEMS upon written consent by the student. This Agreement to provide such information continues even after the student's affiliation with the College and/or the SCEMS terminates and after the termination of this Agreement.
- XVIII. The College agrees to advise SCEMS of anticipated changes in the student's program, within a reasonable time prior to such time the changes take effect.
- XIX. The College shall require all student participants to complete and execute the Rider/Observer Information Form and the Sussex County Emergency Medical Services Release Agreement which is attached hereto as Exhibit A and is incorporated herein by reference. Student participants under the age of eighteen (18) are required to have the Release Agreement executed by their parent or legal guardian in order to participate in the program. Failure to do so will result in the student's exclusion from the program.

### **SCEMS RESPONSIBILITIES**

- I. SCEMS shall be responsible for and retain absolute control of the organization, administration, operation and financing of its services. SCEMS will retain full and final responsibility for the supervision of patient care.
- II. SCEMS shall make available to the College faculty and students, its existing clinical facilities and the educational opportunities surrounding the current clinical activities to facilitate the attainment of the specified objectives of the educational program. SCEMS shall allow students, whenever feasible, to participate in special functions as available, i.e., observe surgery, special clinics, programs, meetings, process groups, programs, in-service education, etc.
- III. SCEMS agrees to provide a clinical experience that is appropriate to student needs and level of experience and proficiency, and that is of sufficient size and variety to ensure an optimal educational experience. SCEMS will provide student and faculty access to medical records and/or patient information considered essential for the educational experience.



- IV. SCMES agrees to maintain a sufficient level of staff employees to provide services. Students will neither be expected nor permitted to perform services in lieu of SCEMS employees.
- V. SCEMS shall provide facilities and services during clinical (e.g., dressing room space, parking, cafeteria, at own expense, etc.) that are available to other SCEMS personnel. (Appropriate school identification must be worn during clinical experience.)
- VI. SCEMS shall provide orientation for students and faculty of the College, including SCEMS identified mandatory education. Student orientation is provided through a “train the trainer” format.
- VII. SCEMS shall provide student identification within the facility if College furnished I.D. is unacceptable to SCEMS.
- VIII. SCEMS shall provide initial emergency care in accordance with SCEMS’s protocol to students/faculty while on affiliation. The provision of initial emergency care shall be at the student’s/faculty’s expense. SCEMS assumes no responsibility, financial or otherwise, beyond the initial first aid.
- IX. SCEMS shall advise the College of anticipated changes in SCEMS policies and procedures that affect the student’s program, within a reasonable time prior to such time the changes take effect.
- X. SCEMS shall provide information necessary to assist in meeting accreditation or regulatory standards.
- XI. SCEMS shall respect the student’s confidentiality.
- XII. SCEMS has the authority to immediately remove a faculty member or student who fails to comply with SCEMS’s policies and procedures. If such a removal occurs, SCEMS should immediately contact the responsible College Faculty Advisor. It is understood and agreed that SCEMS may withdraw the student(s) from any specific area which is not conducive to optimum learning experiences, and further may withdraw any student from any area when the student’s actions, attitudes, or conduct may, in SCEMS’s judgment, have a detrimental effect on the resident or personnel.
- XIII. If SCEMS is required to remove any faculty member, employee or student for incompetence, negligence or unethical behavior, an informal conference will be held. SCEMS shall arrange the Joint Informal Conference within ten (10) business days. Representatives from the College and SCEMS and the individual in question will participate in the conference and all parties will have the opportunity to be heard.

- XIV. SCEMS will inform its personnel regarding the terms of this Agreement.
- XV. SCEMS understands that the College is bound by the provisions of the Family Educational Rights and Privacy Act of 1974, as amended, and further agrees and understands that the College may not disclose or release any educational record or other information to any person, group or entity without a student's prior written consent. SCEMS agrees not to disclose or release any educational record or other information concerning a student to any person, group or entity, without a student's prior written consent, and shall comply with College's protocol with respect to confidentiality procedures.
- XVI. In the event of exposure to blood borne pathogens as defined in 29CFR 1910.1030, SCEMS shall provide Post-Exposure Evaluation of the source individual in accordance with the above Occupational Safety and Health Administration regulation.
- XVII. Any injury or illness including exposure to blood or body fluid which may be incurred by student while at the SCEMS's premises or off-site while participating this Program under the terms and conditions of this Agreement may be processed through the SCEMS's Employee Health Program and billed to the student or appropriate insurance carrier accordingly. Post-exposure evaluation may be conducted by the College's Student Health Policy. The post-exposure evaluation must be in compliance with SCEMS's policies and procedures and a copy of said evaluation including all laboratory testing must be provided to SCEMS.
- XVIII. It is expressly understood and agreed by and between the parties hereto that SCEMS is not the agent of the College and no principal and agency relationship exists between the parties to the Agreement. It is further understood and agreed that no faculty member, student or other individual affiliated with the College having access to and utilizing SCEMS's clinical facilities and the educational opportunities surrounding the current clinical activity under this Agreement shall be deemed at any time an agent or employee of SCEMS, and SCEMS shall not be responsible or liable as a respondeat superior or otherwise for the actions or failure to act on the part of any such individual.
- XIX. The Sussex County Council grants authority to the Director or Deputy Director of SCEMS to execute the Sussex County Emergency Medical Services Release Agreement attached as Exhibit A on the County's behalf.

### **JOINT RESPONSIBILITIES**

- I. SCEMS shall designate a person to serve as a liaison between the parties who will meet periodically with a representative of the College to discuss, plan and evaluate the clinical experiences of the students.
- II. The College and SCEMS, in conjunction with the appropriate accrediting body,

shall mutually agree to the maximum number of students to be assigned to SCEMS for the clinical experience in SCEMS. The number of students within each program will be determined by the facilities available for the student's learning experience.

- III. In the event of any dispute, claim, question, or disagreement arising from or relating to this Agreement or the breach thereof, the parties hereto shall use their best efforts to settle the dispute, claim, question, or disagreement. To this end, they shall consult and negotiate with each other in good faith, and recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to all parties. If they are unable to reach such a solution within a period of forty-five (45) days, either party may file suit in a court of competent jurisdiction in the State of Delaware
- IV. Any changes in policies, rules, regulations and new developments shall be communicated between the College and the SCEMS.
- V. The parties agree to continue their respective policies of nondiscrimination based on Title VI of the Civil Rights Act of 1964, as amended, with respect to sex, age, race, color, creed, national origin, the Age Discrimination in Employment Act, as amended, American with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, Title IX of the Educational Amendments of 1972, and other applicable federal and state laws, regulations and Executive Orders.
- VI. The relationship between the parties to this Agreement to each other is that of independent contractors and is not to be in any manner construed to create an employment relationship between the College, SCEMS and/or the student. The relationship of the parties to this Agreement to each other shall not be construed to constitute a partnership, joint venture or any other relationship, other than that of independent contractors. Neither party shall be entitled to compensation by the other for the clinical experience provided and received herein, as the case may be.
- VII. Nothing contained herein is intended to waive, alter, or otherwise amend Sussex County's immunity under the Delaware Code or otherwise, including but not limited to the County and Municipal Tort Claims Act. Additionally, nothing in this Agreement shall be deemed a waiver of the doctrine of sovereign immunity on the part of the State of Delaware or Delaware or the College. Nothing contained herein is intended to violate any constitutional principles of the State of Delaware or United States. To the extent that any obligations contained in this Agreement are determined by court or other judicial action to waive, alter, or otherwise amend such immunity or to be constitutionally prohibited or otherwise not in accordance with the laws in effect at the time of any such claim, liability, cost or expense, the offending language shall be stricken from this Agreement by such authority and considered invalid and unenforceable to the extent necessary to allow the application of such immunity to any claims, losses, damages, or suits asserted against either party or to the extent necessary to correct such violation

of the law.

- VIII. The dates, days, and hours on which SCEMS's facilities and resources may be used shall be planned by the appropriate representative of the College, in consultation with the appropriate office of SCEMS and mutually agreed upon.
- IX. The College and SCEMS shall provide liaison personnel to assure systematic planning and the exchange of information regarding policy changes, problems/concerns, and new developments.
- X. Any notice required or permitted by this Agreement shall be deemed to have been completed if in writing and delivered personally or mailed by first-class, registered or certified mail, postage prepaid, to the other party.
  - A. Notices to the College shall be sent to:  
Nursing Department Chairperson  
Delaware Technical Community College  
21179 College Drive  
Georgetown, DE 19947
  - B. Notices to SCEMS shall be sent to:  
Deputy Director of Operations  
Sussex County Emergency Medical Services  
PO Box 589  
Georgetown, DE 19947
- XI. This Agreement may be modified, in writing, by mutual agreement of both parties or may be terminated by mutual agreement or by either party giving at least sixty (60) days' written notice and/or enough time for the student to complete the course in which currently enrolled.
- XII. In the event of a breach of this Agreement or other conduct determined to be detrimental to either party, the Agreement can be immediately terminated. In the event of termination, the parties agree to take reasonable steps to complete the training of any participant/student in the program or clinical.
- XIII. Each party recognizes that it is operating as an independent contractor and that it is liable for any and all losses, penalties, damages, expenses, attorney's fees, judgments, and/or settlements incurred by reason of injury to or death of any and all persons, or injury to any and all property, of any nature, arising out of its own negligent performance under this Contract, and particularly without limiting the foregoing, caused by, resulting from, or arising out of any act or omission on the part of either Party in their negligent performance under this Contract. . Neither party is obligated to indemnify the other party or to hold the other party harmless from costs or expenses incurred as a result of such claims; and each shall continue to enjoy all rights, claims and defenses available to it under law.

- XIV. The parties agree that this Agreement shall be governed by and construed pursuant to the laws of the State of Delaware, and that the Delaware courts shall have sole and exclusive jurisdiction of any disputes arising under this Agreement.
- XV. If background checks are required by SCEMS, criminal background and abuse registry checks may be obtained from web-based databases compiled and maintained by independent third-party services. The College shall be permitted to rely upon a report prepared by an independent third party, and makes no representations regarding the accuracy or completeness of any such information.
- XVI. This Agreement sets forth the complete and exclusive statement of the mutual understanding of the parties. This Agreement supersedes and cancels all previous written and oral agreements and communications between the parties relating to the services that are the subject matter of this Agreement.

IN WITNESS WHEREOF, the authorized representatives of the parties have executed this Agreement as of the date set forth below.

COLLEGE:

Delaware Technical Community College

\_\_\_\_\_  
Witness

BY: \_\_\_\_\_ (SEAL)  
Bobbi Barends, Vice President & Campus  
Director

Date: \_\_\_\_\_

SUSSEX COUNTY

Date: \_\_\_\_\_

BY: \_\_\_\_\_ (SEAL)  
Michael H. Vincent, President

ATTEST: \_\_\_\_\_ (SEAL)  
Robin Griffith, Clerk of the  
Sussex County Council

## 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) 855-7773



# Sussex County

DELAWARE

[sussexcountype.gov](http://sussexcountype.gov)

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JAMES A. HICKIN, A.A.E.  
AIRPORT MANAGER

### MEMORANDUM

**TO:** Sussex County Council

**THROUGH:** Todd Lawson  
County Administrator

**FROM:** Jim Hickin, A.A.E.  
Airport Manager

**DATE:** Sept 26, 2017

**RE:** **OBSTRUCTION REMOVAL BID AWARD**

The Engineering Department is on the September 26<sup>th</sup> Council agenda to seek approval to award a bid to Strobert Tree Services for the removal of aeronautical obstructions (trees) around Delaware Coastal Airport.

One of the County's most important FAA grant obligations is to maintain the airspace around the airport clear of obstructions. Last year, the County was awarded an FAA grant to conduct an aeronautical survey to identify all obstacles that extend above several FAA-defined surfaces. In all, over 7,000 penetrations to these surfaces were identified. An FY18 FAA grant is planned to design the mitigation of these obstructions and an FY19 grant will fund the obstruction removal.

However, some obstructions are more critical and penetrations to these surfaces could result in restrictions to the use of the airport under certain conditions. These restrictions include loss of night landing authorization and limits on operations during periods of low visibility. The Engineering Department has identified these critical obstructions and developed a project to address them prior to the FY19 grant.

Sussex County Project 18-01, Aeronautical Obstruction Removal, will cut six areas of trees totaling about 4 ½ acres and nearly 50 isolated, individual trees. Three of the six areas are South of Park Avenue and three are along the railroad tracks near Sports at the Beach. Individual trees are all South of Park Avenue, spread over a wide area. Some trees are in wetland areas and require special care during cutting. All the trees are on County-owned property. Cut trees will be left in place. A bid alternate to remove the cut trees was included



in the bid request, but the bid price for removal seems unreasonably high and exceeds the project budget.

Bids were opened September 13, 2017, with only one contractor bidding – Strobert Tree Services. Ten other contractors were specifically solicited, the RFP was given to at least one contractor clearinghouse, and ads were placed in two Statewide newspapers.

Strobert's Base Bid amount is \$65,810. Based on previous tree clearing projects at the airport, we believe this is reasonable for this project.

We will be requesting Council's approval to award a contract for Project 18-01, Aeronautical Obstruction Removal, to Strobert Tree Services in the amount of \$65,810.

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





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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 21, 2017

RE: County Council Old Business Report for CU 2075 Burton's Pond, LLC (Burton's Pond Section II)

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The County Council held a public hearing on June 13, 2017. The County Council deferred action and requested additional information from DelDOT regarding the timing of (scheduled of) the traffic signal.

The following is the response from DelDOT regarding the timing of the signal. The memo also includes the action taken by the Planning and Zoning Commission.

Signals are not installed until they are justified through a Signal Justification Study that evaluates national and localized thresholds provide in the Manual on Uniform Traffic Control Devices (MUTCD). From a timeframe perspective, I do not know when a signal could be justified or if at all. To my knowledge, the Burton Pond development is paying into the Traffic Signal Revolving Fund which allows DelDOT to install a signal when justified. I've copied DelDOT's Sussex County Review Coordinator, Steve Sisson, to this email to help provide clarification on the process. If there are concerns now prior to the realignment and proposed unsignalized intersection, a signal justification study should be completed by the Burton Pond developer.

The following is the portion of the minutes from the April 6, 2017 Planning Commission meeting that addressed CU 2075 Burton's Pond, LLC (Burton's Pond Section II).

Ms. Cornwell advised the Commission that submitted in the record was a staff analysis, comments were received from DelDOT, Sussex Conservation District, and from the Sussex County Utility Planning Division; and that the applicant submitted a site plan and exhibit booklet.

Ms. Cornwell advised the Commission that there were three letters in opposition to this application.

The Commission found David Hutt, Attorney for Morris James Wilson Halbrook and Bayard, LLP, Zachary Crouch of Davis, Bowen, and Friedel, Inc. and Ben Gordy of Ocean Atlantic, were present on behalf of the application; that Mr. Hutt stated that 10 years ago a change of zone application from AR-1 to MR-RPC was filed; that the application was approved on July 31, 2007; that the RPC has expired; that a subdivision application was filed for a property on the other side of Route 24; that the property received preliminary approval on January 26, 2017; that this application is for 100



townhomes on approximately 31 acres of land; that the townhomes lie on a little over 8 acres of the land; that two-thirds of the property will be open space; that Mr. Crouch spoke the property is zoned MR; that the property is located in a Level 2 State Strategy; that the property is located in an Environmentally Sensitive Developing Area (ESDA); that the density of this project is around 3.23 per acre; that the entrance will be on Sloan Road; that there will be 19.23 acres of open space; that the original application was for 6 multiunit buildings; that the hedgerow will remain to the south of the property; that there will be a pool house, pool, with a walking trail throughout the wooded area; and that there will be sidewalks on one side of the road; that there are no wetlands on this site; that they will try to keep all woodlands as it is today; that a TIS was done per the original application and have meet with DeIDOT; that this property is in a Sussex County Sewer District; that the exhibit booklet contains comments from PLUS, TAC, Chapter 99-9C and also an Environmental Assessment report; that there will be a 30 foot buffer around the perimeter; that the existing trees are to remain; that there will be a walking trail through the woods and no trees will not be removed as part of the trail; that there will be a buffer along both side of the road; that there will be a multi-use path along Route 24 and Sloan Road; that as part of DeIDOT's requirements, Sloan Road will be relocated at the developers expense; that the realigned road will tie into Hollymount Road; that the developer will enter into a signal agreement and will install the signal at the intersection when it is warranted per DeIDOT, the developer will pay for the Signal; that Mr. Gordy spoke that there will be 6 units to a building; that the standard is 3 bedrooms a unit; that square the footage for each unit will be between 1,600 square feet to 2,300 square feet; that the master bedroom will be on the 1<sup>st</sup> floor; that he meet with some of the property owners; that he is willing to supplement the woods to meet the buffer requirement; that the HOA will be shared with the single family across the street and have shared amenities; that he is a licensed realtor and has no knowledge that multi-family having a negative impact on value of surrounding properties; that Mr. Crouch spoke that the all the trees will be removed on the single family lots so they could get the house on the lots; that the conditional use will allow for townhomes; that the plan in place will address infrastructure and the developer is paying for the improvements; that the developer is going to solve ongoing problems; that the sewer will be provided by a public provider; that there are other developments similar in the area and had no impact to the value; that this is in the ESDA which the code recognized to allow for a range of housing types; that mulch, stone, or natural material will be used for the walking path; that old Sloan Road will be abandoned; that the new intersection will be designed for a signal; that Hollymount Road will also be updated; that Sloan Road will be repaired first and then Hollymount Road; that the roads will meet the current standards; that the amenities will be in by the 51<sup>st</sup> Certificate of Occupy; that old Sloan Road will be removed and grass will be planted; that there will be centralized cluster mail boxes; that the both sides can share the amenities; that there will be room for additional parking with 15-20 spaces in front of the pool; that there will be a master HOA with a sub association for the townhomes for lawn care; and that the streets meet Fire Marshal requirements.

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

The Commission found that Arnold Pitman, Karen Snoots, Jessie Ockie, Joe Caserta, Susan Bovine, Chris McDaniel, and Johanna O'Neill, spoke in opposition to the application; that they had concerns with property values; that there concerns with traffic; that the housing should be single family and not townhomes; that it is not compatible with the area; that there are too many houses; and that there was concern about wildlife in the area.

At the conclusion of the public hearings, the Commission discussed this application; that concern of square footage; that the loss of trees; that there is concern with traffic; that the value issue doesn't exist as there was no documentation.

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

The following is the portion of the minutes from the May 11, 2017 Planning Commission meeting that addressed CU 2075 Burton's Pond, LLC (Burton's Pond Section II).

At their meeting on May 11, 2017, the Commission discussed this application which has been deferred since April 6, 2017.

Mr. Ross stated that he would move the Commission recommend approval of Conditional Use No. 2075 for Burton's Pond, LLC (Burton's Pond Section II) for a multi-family (100 townhouse Units), based upon the record and the following reasons stated:

1. This property is currently zoned MR (Medium-Density Residential District) and the proposed project meets the purposes and requirements of the District.
2. This application is for a conditional use in an MR (Medium-Density Residential District) to allow for the construction of townhouses. The applicant proposes 100 dwelling units on 30.95 acres, located in Indian River Hundred, adjacent to John J. Williams Highway (Route 24) at Sloan Road (Country Road 49).
3. This project was previously approved as an MR-RPC by Ordinance No. 1919 (CZ No. 1610) with 102 dwelling units, adopted by County Council on July 31, 2007.
4. The property is in an Environmentally Sensitive Development District Overlay Zone (ESDDOZ).
5. The applicant has submitted the application to PLUS and has responded appropriately to the PLUS Comments and provided the Commission with the required information for its consideration.
6. The property contains no wetlands and is not located in a Wellhead Protection Area.
7. The project is designed to preserve wooded areas and the natural buffer next to the adjacent residential communities. Dwelling units will be adjacent to open space, sidewalks and walking, jogging and bike trails, promoting interconnectivity within the project. The design preserves 19 acres of open space when a grid MR subdivision would preserve significantly less open space.
8. The applicant has proposed 100 dwelling units within the project, which is permissible density of 3.23 units per acre within an MR (Medium Density Residential District).
9. The project will not adversely affect neighboring or adjacent properties. The project is consistent with existing residential development in the area.
10. The proposed project will be served by central water and sewer, in accordance with Federal, State and County requirements.
11. Through consultation with DelDOT, the proposed project shall have one (1) entrance on Sloan Road (County Road 49).
12. The proposed project will have both active and passive open space.
13. The proposed project meets the purposes and standards of the Sussex County Zoning Code and the purposes of the MR (Medium-Density Residential District).
14. This recommendation for approval is subject to the following conditions and stipulations:

- a. There shall be no more than 100 townhouse units within the project.
- b. The applicant shall create a fee simple townhome community which will be part of the Burton Pond Communities Homeowners Association, possibly through a separate sub-homeowners association, to be responsible for the maintenance of streets, roads, buffers, stormwater management facilities, and other common areas including the Environmental Management Plan for Burton's Pond as stated in the Conditions for Burton's Pond Section 1.
- c. The project shall be served by a central sewer system in accordance with the Sussex County Engineering Department specifications and in conformity with all DNREC regulations as part of the Sussex County Unified Sanitary Sewer District North Coastal Planning Area.
- d. The project shall be served by a publicly regulated central water system providing drinking water and fire protection as required by applicable regulations through Tidewater Utilities, Inc.
- e. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements including the requirements of the Sussex Conservation District and PCS. The Applicant, its successors and assigns shall operate the stormwater management facilities utilizing Best Management Practices (BMP) and Best Available Technologies (BAT). The final site plan shall contain the approval of the Sussex Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- f. All entrances, intersections, roadway improvements and multi-modal facilities required by DelDOT shall be completed by the Applicant as required by DelDOT. In addition, the relocation of Sloan Road shall be completed within the first phase of the development.
- g. The recreational amenities in Section II shall be constructed and open to the use by residents upon the issuance of the 50<sup>th</sup> residential building certificate of occupancy for Section II.
- h. Street lighting shall be provided and the location of the streetlights shall be shown on the Final Site Plan.
- i. Sidewalks shall be installed on one side of all streets within the project and shall be shown on the Final Site Plan. There shall also be walking, jogging, and bike paths throughout the subdivision as shown on the Preliminary Site Plan.
- j. The undisturbed forested areas shall be shown on the Final Site Plan.
- k. Road naming and addressing shall be subject to the review and approval of the Sussex County Mapping and Addressing Department.
- l. A school bus stop area with parking shall be located within the project. The Developer shall coordinate and cooperate with the local school district's transportation manager to establish the school bus stop area. The location of the bus stop area, with the approval of the local school district, shall be shown on the Final Site Plan.
- m. The Applicant shall provide agricultural buffers and wetland buffers, as necessary, in accordance with the applicable regulations. The Agricultural Use Notice shall be included in covenants, conditions, and restrictions or instruments of conveyance.
- n. The applicant shall submit as part of the site plan review a landscape plan showing the proposed tree and shrub landscape design.

- o. The Developer shall design and install a landscape buffer of berms and plantings running South to North along the entire property boundary with John J. Williams Highway (Route 24) and running East to West along the entire property boundary with the relocated Sloan Road (County Road 49). The Final Site Plan shall contain a landscape plan showing the proposed design and vegetation of all landscape buffer areas.
- p. The interior street design shall be in accordance with or exceed Sussex County street requirement and/or specification. Street design shall include curbs, sidewalks, and street lighting.
- q. Construction, site work, grading, and deliveries of construction materials, landscaping materials and fill on, off or to the property shall only occur from Monday through Friday between the hours of 7:00 a.m. and 6:00 p.m. and Saturday between the hours of 8:00 a.m. 1:00 p.m.
- r. A revised Preliminary Site Plan either depicting or noting these conditions must be submitted to the Sussex County Office of Planning and Zoning.
- s. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

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

JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
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**Sussex County**  
DELAWARE  
sussexcountyde.gov

## 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 21, 2017

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

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At the meeting of September 19, 2017, County Council deferred the request for a onetime 6 month for additional information regarding the timeframe of the submission to the Sussex Conservation District. The following is the information regarding approval from the Sussex Conservation District:

- Becker Morgan Group, Inc. contracted to start construction documents 05-27-2014
- Becker Morgan Group, Inc. submitted 1st submission to SCD 01-15-2015
- Becker Morgan Group, Inc. received comments on 03-03-2015
- Becker Morgan Group, Inc. submitted 2nd submission 06-30-2015
- Becker Morgan Group, Inc. received comments on 07-31-2015
- Becker Morgan Group, Inc. submitted 3rd submission 09-28-2015
- Becker Morgan Group, Inc. received email comments 10-27-2015
- Becker Morgan Group, Inc. submitted 4th submission 12-17-2015
- Becker Morgan Group, Inc. received email comments 01-25-2016
- Becker Morgan Group, Inc. submitted 5th submission 03-22-2016
- Becker Morgan Group, Inc. received email comments 04-20-2016
- Becker Morgan Group, Inc. emailed 6th submission 04-25-2016
- SCD found submittal to be acceptable and asked for fee-in-lieu report for DNREC consideration on 04-26-2016
- Becker Morgan Group, Inc. emailed the fee-in-lieu report to SCD on 04-29-2016
- Becker Morgan Group, Inc. resubmitted fee-in-lieu report to SCD and DNREC 08-28-2017
- Received email from SCD requesting final plans sets 08-28-2017
- Received SCD approval on 09-15-2017

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.



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
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DELAWARE  
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## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 21, 2017

RE: County Council Old Business Report for CU 2085 Land Marketing Corp. (Salt Aire)

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The County Council held a public hearing on August 22, 2017. The County Council deferred action and left the record open for the purpose of receiving a response to a sewer capacity question (submitted to the Sussex County Engineering Department) with the record remaining open for a period of ten days for a written response; and further, once the written response has been received, the record will remain open for a period of one week for the Applicant to have the opportunity to respond.

The following is the response from Engineering Department regarding sewer capacity. The memo also includes the action taken by the Planning and Zoning Commission.

The Department has been permitting additional capacity to projects, they either need to perform upgrades as part of the project if currently needed or they enter into the "Use of Existing Infrastructure Agreements" to fund any upgrades needed in the future as a result of the increased capacity. So, Salt Aire will pay for upgrades at the start of the project if needed now or they will pay for the additional EDUs based on the agreement.

The following is the portion of the minutes from the July 13, 2017 and July 27, 2017 Planning Commission meetings that addressed CU 2085 Land Marketing Corp. (Salt Aire).

Ms. Cornwell advised the Commission the submitted into the record as part of the application were the staff analysis, comments from the Sussex County Utility Planning Division, Sussex Conservation District, DelDOT, an exhibit book and one letter in opposition.

The Commission found that Jeff Clark, with Land Tech Planning, and Robert Harris, President of Land and Marketing Corporation were present of behalf of the application; that Mr. Clark stated that there was an exhibit booklet which included an Environmental Assessment, PLUS comments, and response to Chapter 99-9C; that the 4.16 acres includes three parcels; that there are single family dwellings surrounding the site; that there is one existing dwelling and storage building on the site; that the property slopes and drains toward the home across Sandy Cove Road; that there are existing public water mains in the road; that the site is State Strategy Level 3; that a TIS and TOA were not required; that public dedication for the Right-of-Way is required and a permanent sign easement is required; that there are no known archeological sites on the site; that Conditional Use 1752



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was approved as a 16 unit multi-family attached dwelling project in 2007 and has lapsed; that the property is in the Environmentally Sensitive Developing Area; that the access will be from Sandy Cove Road; that there will be two stormwater management facilities; that the dwellings will have a 15-foot separation distance and will comply with the 165-foot maximum length requirement; that the homes will be two story homes; that 49 homes are allowed per maximum density but they are only proposing 19 homes; that they will not exceed the setback requirements; that they are proposing a 10-foot wide landscape buffer; that they will try to preserve existing trees; that there will be new trees and landscaping around the homes; that there will be street lights; that the entire community will be condominium ownership; that one of the stormwater management ponds will be designed to be dry and used as open space; that Sussex Shores Water Company will be able to provide water; that the sewer will be using an existing line from Sandy Cove Road with an allowable 15 EDU's and will enter into a use of existing infrastructure agreement and purchase of four additional EDU's; that there no known endangered species or wetlands; that a half acre will be buffer and 57% will be open space; that all construction will conform to FEMA requirements; that there will be no negligible affect to values of the area; that the existing house will be removed; that it is a well-drained area; that amenities can be a burden for 19 units; that they could entertain an emergency entrance but they are hoping it could be pedestrian access to the County park; that they are no sidewalks; that the roads will be 24 feet wide for cars and could strip five feet for sidewalks; and that the turnarounds meet Fire Marshal regulations.

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

The Commission found that Bruce War, Jean Coggins, and Lee Ann Britten spoke in opposition to the application; that they had concerns with headlights shining in their houses; that would they would like the developer to consider fencing; that they had concerns with flooding; that there is a possibility of looking at connecting a loop between Point Reyes Lane and Preston Lane; that Mr. Clark spoke that there is a proposed landscape buffer per code and it be 10 foot buffer; that how much distance would be between houses; that 10 feet is not a lot of space between units; that the parking was not illustrated; that per DelDOT comments there will be no impact to traffic; that there may be an impact if a traffic study is done in the summer vs winter; that there are a lot of dead end roads in the area; and that there were concerns with traffic.

At the end of the meeting the Commission discussed 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 July 27, 2017, the Commission discussed this application which has been deferred since July 13, 2017.

Mr. Hudson stated that he would move that the Commission recommend for approval of Conditional Use 2085 for Land and Marketing Corporation for multi-family structures based upon the record made during the public hearing and for the following reasons:

1. This property was the site of Conditional Use #1752 that was approved in 2007 for multi-family dwellings. The application is similar to that prior approval.
2. The property is in an area where other residential development has occurred, including single family homes, multi-family homes, mobile home communities and campgrounds.



This project is consistent with those nearby uses, and it is essentially an infill development in this area of cedar Neck Road.

3. The site is in the Environmentally Sensitive Developing Area according to the Sussex County Comprehensive Plan. This type of development is appropriate in this Area according to the Plan.
4. The proposed development will not have an adverse impact on the neighboring properties or roadways
5. The proposed density is significantly lower than the allowable density in the GR General Residential District.
6. The development will be served by central sewer provided by Sussex County.
7. This recommendation is subject to the following conditions:
  - A. The maximum number of residential units shall be 19.
  - B. All entrances, intersection, roadways and multi-modal improvements shall be completed by the developer in accordance with all DelDOT requirements.
  - C. The project shall be served by Sussex County sewer. The developer shall comply with all Sussex County Department requirements including any offsite upgrades necessary to provide service to the project.
  - D. The project shall be served by central water to provide drinking water and fire protection.
  - E. The applicant shall submit as part of the Final Site Plan a landscape plan showing the proposed tree and shrub landscape design, including any buffer areas.
  - F. All construction and site work on the properties, including deliveries of materials to or from the property, shall only occur between 7 am and 6 pm Monday through Saturday.
  - G. Street naming and addressing shall be subject to the review and approval of the County Mapping and Addressing Departments.
  - H. The applicant shall form a homeowners' or condominium association responsible for the perpetual maintenance of the streets, road, any buffers or landscaping, stormwater management facilities, erosion and sediment control facilities and other common elements.
  - I. The stormwater management system shall meet or exceed the requirements of the State and County. It shall be constructed and maintained using best management practices.
  - J. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
  - K. The Final Site Plan shall be subject to review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hudson, seconded by Mr. Hopkins, and carried with four (4) votes to forward this application on to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 4-1. Ms. Stevenson voted no.

**Introduced 02/21/17**

**Council District No. 4 – Cole  
Tax I.D. No. 134-9.00-88.00, 80.06, and 80.01 (portion of)  
911 Address: None Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.16 ACRES, MORE OR LESS**

**WHEREAS, on the 8th day of February 2017, a conditional use application, denominated Conditional Use No. 2085, was filed on behalf of Land and Marketing Corporation; 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. 2085 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 VI, Subsection 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2085 as it applies to the property hereinafter described.**

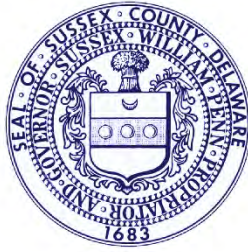
**Section 2. The subject property is described as follows:**

**ALL that certain tract, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the northeast side of Sandy Cove Road, approximately 472 feet north of Cedar Neck Road and on the northwest side of Cedar Neck Road, approximately 764 feet north of Sandy Cove Road, and being more particularly described per the attached legal description, said parcel containing 4.16 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.**

## 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

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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

RE: ***Construction Agreement  
Sussex County & Lewes Board of Public Works***

DATE: September 26, 2017

On July 19, 2016, the Engineering Department gave a presentation on Sussex County's proactive wastewater infrastructure planning in the North Coastal Planning Area. Because of the presentation, County Council authorized agreement negotiations with other wastewater service providers for the utilization of existing wastewater treatment & transmission capacity.

On September 20, 2016, County Council approved an agreement with the Lewes Board of Public Works for wastewater treatment and disposal. As part of the agreement approval, the Board requested to utilize George, Miles & Buhr, Inc., the Board's Engineer of Record for the design of any transmission improvements along Gills Neck Road, on a reimbursement basis. In addition, the Engineering Department proposed implementation of said transmission improvements via the General Labor & Equipment Contract. County Council concurred in both requests.

On August 29, 2017, the Engineering Department presented the Lewes Board of Public Works' request to conduct the Phase 1C and 1B(2) work as part of the County's Gills Neck Road project as well as a scope modification change order no. 6 to the General Labor & Equipment Contract. Council approved both requests, however the assistance request was contingent upon approval of a subsequent construction agreement by both parties.

The proposed construction agreement reflects the cost split represented on the attached exhibit, which was previously discussed between the Board's General Manager and the Engineering Department. The routing of the work through the County's General Labor &



Equipment Contract was desirable for construction sequencing as well as time line compliance set forth in the DeIDOT permit.

The Board has considered the proposed construction agreement during their regularly scheduled business meeting on September 19, 2017 and approved it without further modifications. The Board further requested that the contractor add the Lewes Board of Public Works as an additional insured. George & Lynch stated that they can provide the coverage if it will be contractually required. The Engineering Department is now requesting approval of the Construction Agreement and concurrence in the request for the additional insurance from the contractor.

## CONSTRUCTION AGREEMENT

THIS CONSTRUCTION AGREEMENT ("Agreement"), made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2017, by SUSSEX COUNTY (the "County"), a political subdivision of the State of Delaware and the LEWES BOARD OF PUBLIC WORKS (the "LBPW"), a chartered utilities board.

WHEREAS, the County and the LBPW entered into an Agreement for Wastewater Services dated September 28, 2016, and said agreement allows for the coordinated use of the LBPW sewer transmission system ("2016 Agreement"); and

WHEREAS, pursuant to this Agreement, the County shall engage its contractor under its General Labor and Equipment Contract ("Construction Contract") to undertake construction of sanitary sewer and water infrastructure for a project known as the Lewes Board of Public Works and Sussex County Flow Diversion Project Phase 1C ("LBPW Phase 1C") and Phase 1B(2) ("LBPW Phase 1B(2)") (collectively, LBPW Phase 1C and LBPW Phase 1B(2) is hereinafter referred to as the "LBPW Work") as described in the phasing plan prepared by George Miles and Buhr, LLC dated August 2017 attached hereto as Exhibit A; and

WHEREAS, the LBPW Work is being completed as a part of the County's Wolfe Neck Treatment Facility off-site utility work, and cooperation and coordination between the County and the LBPW for the LBPW Work will, among other things, promote efficiency, reduce the risk of project delay, reduce logistical complications threatening the quality of the work, and result in an overall public benefit; and

WHEREAS, the County may engage a contractor to perform other construction work in the same area as the LBPW Work, which will be solely the responsibility of the County and will not impact this Agreement; and

WHEREAS, LBPW shall reimburse the County for the actual costs and expenses of the LBPW Work performed as set forth herein.

NOW THEREFORE, for and in consideration of the mutual covenants and other good and valuable consideration, which the parties acknowledge to be sufficient, the parties agree as follows:

**SECTION ONE.** The above-referenced recitals are incorporated into this Agreement.

**SECTION TWO.** Provided that LBPW is in compliance with this Agreement, the County, by and through its contractor, shall perform the LBPW Work. LBPW certifies and warrants that LBPW will pay all monies due to the County for reimbursement of all actual fees, costs, or expenses in connection with the performance of the LBPW Work. The estimated construction cost for LBPW Phase 1C is \$642,522.00, and the estimated construction cost for LBPW Phase 1B(2) is \$162,324.00. These estimates are for convenience only and shall not relieve LBPW of its obligation to reimburse the County for all actual costs and expenses that it incurs in the performance of the LBPW Work. LBPW shall pay these amounts incurred by the



County no later than thirty (30) days after the LBPW receives written notice thereof. Any past due amounts shall accrue a penalty of two percent (2%) compounded monthly.

**SECTION THREE.** The "County Parties" shall be defined to include the County's elected and appointed officials and employees. LBPW, on behalf of its officers, employees, agents, representatives, contractors, and assigns, hereby agrees to forever remise, release, waive, quitclaim and relinquish any and all rights, liens, claims, demands, claims for relief, and causes of action (collectively, hereinafter "Claims") against the County Parties whatsoever arising under, related to, or by virtue of the County's performance of the LBPW Work and the incorporation of LBPW Phase 1C into the Construction Contract. This Release shall apply to Claims regardless of whether the significant facts, circumstances, or events related thereto are within the actual knowledge of the County and LBPW and/or their respective officers or employees or knowledge which may be obtained through the exercise of due care, as of the date of this Release. To the extent permitted by law, this Release shall include any and all claims that may arise from the County Parties' own negligence, act, or omission with respect to any of the matters subject to the Release. LBPW does not release the County's contractor from and against any Claims. If specifically requested by LBPW, the County agrees to consult in good faith with the LBPW in any matter pertaining to whether the LBPW Work is performed in accordance with the applicable contractual requirements subject to reimbursement by the LBPW for any fees, costs, and expenses (including but not limited to, reasonable attorneys' fees and other litigation costs) incurred by the County related to enforcement or administration of the LBPW Work.

**SECTION FOUR.** To the extent permitted by law, LBPW agrees to defend, indemnify, and hold harmless the County and the elected officials, agents, employees, officers, directors, and representatives of County, individually and collectively, (the "Indemnified Parties") from and against Claims, including reasonable attorney's fees and defense costs, concerning the incorporation of LBPW Phase 1C into the Construction Contract. For avoidance of doubt, the indemnity by LBPW provided for in this Section shall not include Claims concerning and related to the performance of the LBPW Work. Moreover, this indemnity shall not apply to the extent that any liability is directly caused by the negligence of the County Parties; it is not intended to apply to the extent it would be deemed unenforceable under Title 6, Section 2704 of the Delaware Code, if determined to be applicable. However, the obligations of defense shall be implemented without regard to alleged negligence or fault. The County shall give written notice to the LBPW of any Claims that may be subject to indemnification promptly after learning of such Claims. If such Claim falls within the scope of the indemnification obligations herein, LBPW shall assume the defense of such Claim with counsel selected by the LBPW, in its sole discretion, after reasonable consultation with County, within twenty (20) business days of receiving written notice of a Claim. The assumption of the defense of such Claim by the LBPW shall not be construed as an acknowledgement that the LBPW is liable to indemnify the Indemnified Parties with respect to such Claim, nor will it constitute a waiver by the LBPW of any defenses it may assert against the Indemnified Parties concerning indemnification. If such defense is assumed by the LBPW with counsel so selected, the LBPW shall not be subject to any liability for any settlement of such Claim made by the Indemnified Parties without the LBPW's consent (which consent shall not be unreasonably withheld or delayed). The Indemnified Parties shall participate in good faith in any such defense. The LBPW shall not be

responsible for any fees, expenses, and costs of any separate counsel retained by the Indemnified Parties. Nothing herein shall be interpreted to waive any immunity that would otherwise apply to either party.

**SECTION FIVE.** Upon the County's final acceptance of the contractor's performance of the LBPW Work, the ownership and responsibilities for maintenance of all physical infrastructure and related appurtenances of the LBPW Work shall be transferred immediately and without further notice to the respective parties in accordance with the provisions regarding the "Connection Point" in the 2016 Agreement.

**SECTION SIX.** In the event that the County must bring a legal action of any kind to recover the costs due to it pursuant to this Agreement and LBPW is ordered to pay some or all of the County's claim under that legal action, LBPW shall be solely and fully responsible for payment of the County's reasonable attorney's fees, witness preparation and costs, and any other defense costs directly associated with the legal action.

**SECTION SEVEN.** The parties further agree as follows:

- A. The parties shall not assign or transfer any interest in this Agreement to any entity(s) or person(s) whatsoever without first receiving the other party's written consent.
- B. Any notice provided for herein, unless otherwise noted, shall be given by electronic delivery or hand or registered or certified mail, postage prepaid and addressed to, if for the County: Sussex County Engineer, Sussex County Department of Engineering, 2 The Circle, P.O. Box 589, Georgetown, Delaware 19947 and [hans.medlarz@sussexcountyde.gov](mailto:hans.medlarz@sussexcountyde.gov), and if for LBPW: General Manager, 107 Franklin Avenue, Lewes, DE 19958. The parties must provide advance written notice of any changes to the above-listed addresses. Notices sent to the addresses above or to an updated address properly noticed in writing shall be deemed to be delivered on the third business day after sending to the other party.
- C. No amendments or modifications to this Agreement shall be binding unless in writing and signed by the County and LBPW.
- D. This Agreement shall be binding upon and for the benefit of the heirs, executors, administrators, and successors of the County and LBPW in like manner as upon the original parties, except as provided by mutual written agreement.
- E. This document comprises the entire Agreement between the parties hereto relative to this matter and supersedes any prior agreements or representations, whether verbal or in writing.
- F. The Agreement shall be governed by and construed in accordance with the substantive laws of the State of Delaware without regard to principles of conflict of laws. Any action at law, suit in equity, or judicial proceeding for the



enforcement of this Agreement or regarding any provision hereof shall be instituted and maintained only in a court of competent jurisdiction located in Sussex County, Delaware, or if under federal jurisdiction, in the District Court of the State of Delaware.

- G. Both the County and LBPW represent and warrant that they have the full and complete authority to execute this Agreement on behalf of their respective organizations.
- H. The parties acknowledge that each has had the opportunity to consult with legal counsel of their own choosing concerning the provisions of this Agreement.
- I. Time is of the essence. The term "day" as used herein shall mean calendar day, unless specifically defined as a "business day."
- J. The parties acknowledge that each had the ability to negotiate terms and conditions, and this Agreement shall not be construed against the party who prepared and drafted the Agreement documents. If one or more of the provisions of the Agreement is held to be invalid, illegal or unenforceable in any respect for any reason, such invalidity, illegality, or unenforceability shall not affect any other provision of the Agreement, and the Agreement shall be construed as if the invalid, illegal, or unenforceable provision had never been included.
- K. The headings and subheadings herein are for convenience only and shall not be used to relieve either party of any obligation under this Agreement.
- L. Any forbearance by either party in exercising its rights hereunder shall not be construed as a waiver thereof, unless expressly set forth in writing and signed by the parties. Any waiver by either party of any provision or condition of this Agreement shall not be construed or deemed to be a waiver of any other provision or condition of this Agreement, nor a waiver of a subsequent breach of the same provision or condition.
- M. Neither the provisions of this Agreement nor the performance of the parties hereunder is intended to benefit, nor shall inure to the benefit, of any third party.
- N. This Agreement may be executed in one or more counterparts, any or all of which shall constitute one and the same instrument.

[signature pages follow]





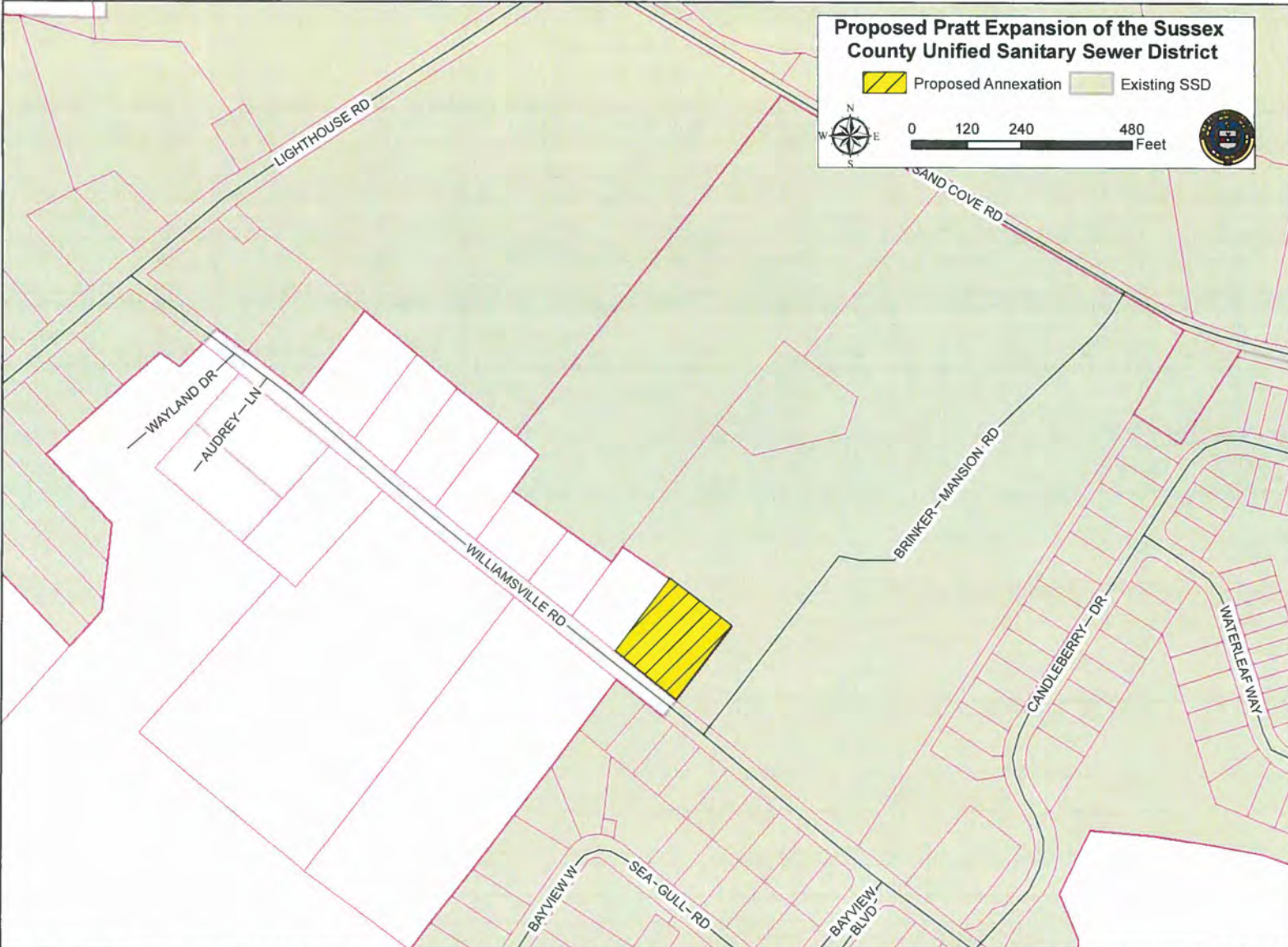


## **PRATT ANNEXATION**

### **FACT SHEET**

- Request for permission to prepare and post notices for an expansion of the Sussex County Unified Sanitary Sewer District (Bay View Estates Area).
- The owner of Parcel 533-19.00-56.00 has requested annexation.
- The owner is demolishing existing cottage and building a new residence.
- The parcel is adjacent to our sewer district and the Engineering Department has planned capacity for the parcel.
- A lateral was installed for the parcel as part of a previous project.
- The project will be responsible for System Connection Charges in place at the time of connection.
- A Public Hearing is tentatively scheduled for October 24, 2017 10:15am at the regular County Council meeting.





The proposed annexation is scheduled to be discussed October 24, 2017 at 10:15 am, in Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947  
 For more information please visit: <https://www.sussexcountyde.gov/legal-notices/sewer-water>. Or call Sussex County Utility Planning at 302-855-1299



**SUSSEX COUNTY GOVERNMENT**  
GRANT APPLICATION

**SECTION 1 APPLICANT INFORMATION**

ORGANIZATION NAME: **Georgetown Little League**

PROJECT NAME: Senior League Softball World Series Champions - sign & operations

FEDERAL TAX ID: **51-0260574** NON-PROFIT:  YES  NO

DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?  
 YES  NO \*IF YES, FILL OUT SECTION 3B.

ORGANIZATION'S MISSION: Along with Little League International, the Georgetown Little League is proud to promote, develop, supervise, and voluntarily assist in all lawful ways, the interests of those who will participate in Little League baseball and softball. The little league program assists children in developing the qualiteis of citizenship, discipline, teamwork and physical well-being.

ADDRESS: **PO Box 105**

**Georgetown** **DE** **19947**  
(CITY) (STATE) (ZIP)

CONTACT PERSON: **Dennis Swain**

TITLE: **President**

PHONE: **302.542.0080** EMAIL: **dennis.swain@state.de.us**

**TOTAL FUNDING REQUEST:**

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? **\$2,000**

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 represent?



## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

- Fair Housing  
 Infrastructure<sup>1</sup>

- Health and Human Services  
 Other

- Cultural  
 Educational

### BENEFICIARY CATEGORY

- Disability & Special Needs  
 Elderly Persons  
 Minority

- Victims of Domestic Violence  
 Low to Moderate Income<sup>2</sup>  
 Other

- Homeless  
 Youth

### BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:  
400-500

## 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.

Dear Council,

As you know, Georgetown Little League's Senior League softball team recently won the World Series. We are extremely proud of the team and the coaches.

The Georgetown Little League Board of Directors graciously asks for your support in the amount of \$3,000 to help offset the costs of the permanent sign that will be placed at the little league park in the spring honoring the team and coaches. We will use the remainder of the funds to help offset costs of operational expenses.

Thank you for your ongoing support of Georgetown Little League.

With gratitude,  
Dennis Swain, President  
Georgetown Little League

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

<b>REVENUE</b>	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
<b>TOTAL REVENUES</b>	\$ 0.00
<b>EXPENDITURES</b>	
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. <b>(Put amounts in as a negative)</b>	
Assistance in paying for 2017 world champion (senior league softball)	- 3000.00
sign that will be permanently placed at the little league park honoring the team and coaches	
and to help offset operational expenses	
<b>TOTAL EXPENDITURES</b>	-\$ 3,000.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	(\$ 3,000.00)

### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Georgetown Little League agrees that:  
(Name of Organization)


- 1) All expenditures must have adequate documentation.
- 2) All accounting records and supporting documentation shall be available for inspection by Sussex County Government by request.
- 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 Human Service Grant funds.
- 4) All statements made in this funding request are accurate.
- 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.

  
 \_\_\_\_\_  
 Applicant/Authorized Official

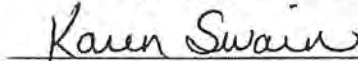
9/18/17  
 \_\_\_\_\_  
 DATE

**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.
- 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.
- 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

9/18/17  
Date

  
\_\_\_\_\_  
Witness

9/18/17  
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

Karen Swan  
Witness

President, Georgetown Little League  
Title

9/18/17  
Date

*Vincent  
9/19/17*



MARTIN L. ROSS, CHAIRMAN  
KIM HOEY STEVENSON, VICE CHAIRMAN  
R. KELLER HOPKINS  
DOUGLAS B HUDSON  
ROBERT C. WHEATLEY



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
sussexcountyde.gov

# Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date August 14, 2017

Application: CU 2092 Lands of Timothy Robinson RW

Applicant/Owner: Timothy Robinson  
32129 Gordy Rd.  
Laurel, DE 19956

Site Location: 32129 Gordy Rd.  
East side of Gordy Rd. and west side of Sussex Hwy. (Rt. 13)

Current Zoning: AR-1 (Agricultural Residential District)

Current Use: Agricultural and Residential

Proposed Use: Retail Sales/Produce Stand (produce not grown on site)

Comprehensive Land  
Use Plan Reference: Town Center

Councilmatic  
District: Mr. Arlett

School District: Laurel School District

Fire District: Laurel Fire District

Sewer: Unknown

Water: Unknown

Site Area: 5.9 ac. +/-

Tax Map ID.: 332-1.00-67.01



COUNTY ADMINISTRATIVE OFFICES  
2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DELAWARE 19947

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 22, 2017

RE: County Council Report for CU 2092 Timothy Robinson

---

The Planning and Zoning Department received an application (CU 2092 Timothy Robinson) to allow for a produce stand. The Planning and Zoning Commission held a public hearing on August 24, 2017. The following are the minutes and motion for the Conditional Use 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, comments from the Sussex County Utility Planning Division, and a site plan.

The Commission found that Mr. Timothy Robinson was present on behalf of the application; that this is his retirement; that he is planning on having handicap accessible greenhouses on site and a pick your own section; that there is currently 1 greenhouse on the site along with a stand; that he will be bringing in other produce to the site; that he is looking to be open during the summer from after Easter to Labor Day with possible fall functions and events; that his hours will be from sun up to sun down with the exception of the fall events; that he currently has a sign on the site he would like to keep; that he has done some fundraising events on Saturday's; that there is potential interconnection with the parcel to the north; and that there is commercial zoning and uses in the area.

The Commission found that there was no one in support of or in opposition to the application.

At the conclusion of the public hearings, the Commission discussed this application.

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

The Commission discussed this application which has been deferred since August 24, 2017.

Mr. Wheatley, moved that the Commission recommend approval of Conditional Use # 2092 for Timothy Robinson for a Produce Stand with Retail Sales based upon the record made during the





public hearing and for the following reasons:

1. The property is zoned AR-1. The use as a produce stand with retail sales is consistent with this zoning. Sales of produce grown by the applicant would be a permitted use; the conditional use is only necessary because the applicant intends to sell other products.
2. The produce stand promotes local agriculture and is desirable for the general convenience and welfare of the area.
3. The proposed use is located adjacent to Route 13 at the intersection with Gordy Road. This is an appropriate location for a produce stand with retail sales.
4. This use is consistent with other zonings and uses in the area, including C-1 Zoning directly across the highway from this site.
5. This recommendation is subject to the following conditions:
  - a. Sales shall only occur during daylight hours.
  - b. Sales shall be limited to one week prior to Easter Sunday through November 1.
  - c. The applicant shall comply with any DelDOT requirements associated with the use.
  - d. Any security lighting shall be screened so that it does not shine on neighboring properties or roadways.
  - e. One lighted sign, not to exceed 32 square feet per side, shall be permitted.
  - f. The applicant shall provide for interconnectivity if the adjacent properties are ever developed.
  - g. The failure to abide by these conditions shall result in the termination of this Conditional Use.
  - h. 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. Hudson, 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.

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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: August 15, 2017  
RE: Staff Analysis for CU 2092 Lands of Timothy Robinson

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2092 Lands of Timothy Robinson to be reviewed during the August 24, 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 332-1.00-67.01 to allow for the use as retail sales/produce stand (produce not grown on site). The size of the property to be used for the Conditional Use is 5.9 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 Town Center.

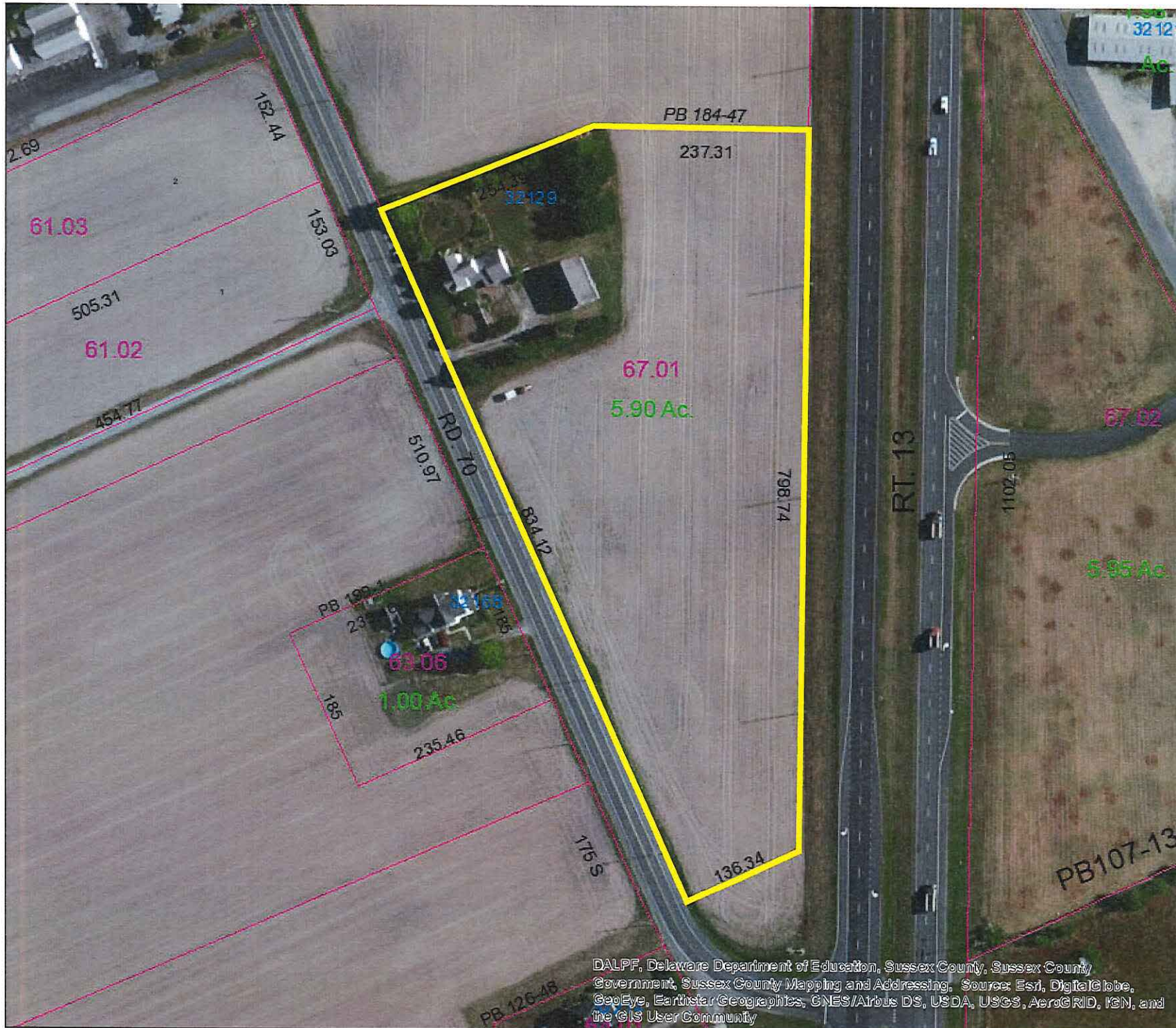
The surrounding land use to the north and west are Town Center. The land use to the east is Highway Commercial. The land use to the south is Town Center and Highway Commercial. The Town Center land use designation recognizes that a mixture of housing types should be permitted "...including single-family homes, townhouses and multi-family units. Commercial uses should serve the daily needs of the residents, workers and visitors. Retail and office uses compatible with adjacent areas are appropriate. Some smaller scale, low impact industrial operations may be appropriate, but larger industrial uses are proposed to be directed to General Industrial areas. Appropriate mixtures of residential, institution and light commercial uses should be allowed".

The property is zoned AR-1 (Agricultural Residential District). The properties to the north and west are zoned AR-1 (Agricultural Residential District). The properties to the south and east are zoned AR-1 (Agricultural Residential District) and C-1 (General Commercial 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 retail sales/produce stand (produce not grown on site) could be considered consistent with the land use, and surrounding zoning.







**Addresses / Parcels**

□ TaxParcels

**Council Districts**

□ Fire Districts

□ County District 01

□ County District 02

□ County District 03

□ County District 04

□ County District 05

□ County Boundaries

**Schools/Libraries**

▫ School Buildings (Various)

▫ School Library

▫ Public Library

▫ Special Library

▫ DOE School Districts

▫ DOE VoTech School Districts

**Hydrology**

▫ Streams / Rivers

▫ Lakes, Ponds, Bays

**Flood Zones**

▫ 0.2% Annual Chance Flood Hazard

▫ A

▫ AE

▫ AO

▫ Open Water

▫ VE

▫ Public Protected Lands

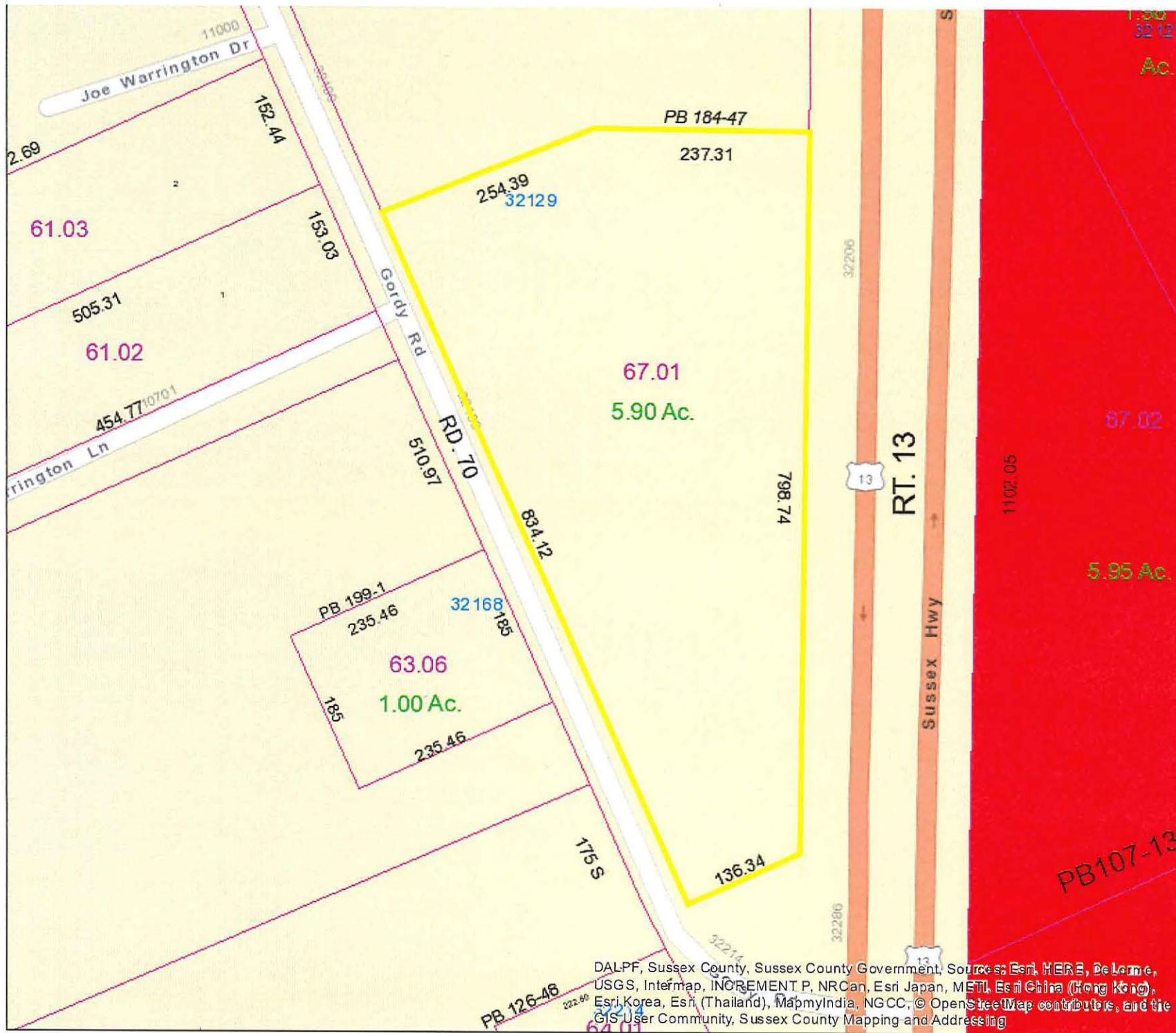
▫ Municipalities

▫ Communities

▫ Boundaries State County

DALPF, Delaware Department of Education, Sussex County, Sussex County Government, Sussex County Mapping and Addressing, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





**Addresses / Parcels**

□ TaxParcels

**Council Districts**

□ Fire Districts

□ County District 01

□ County District 02

□ County District 03

□ County District 04

□ County District 05

□ County Boundaries

**Schools/Libraries**

🏫 School Buildings (Various)

📖 School Library

📖 Public Library

📖 Special Library

📖 DOE School Districts

📖 DOE VoTech School Districts

**Hydrology**

🌊 Streams / Rivers

🌊 Lakes, Ponds, Bays

**Flood Zones**

🟡 0.2% Annual Chance Flood Hazard

□ A

□ AE

□ AO

□ Open Water

□ VE

🌿 Public Protected Lands

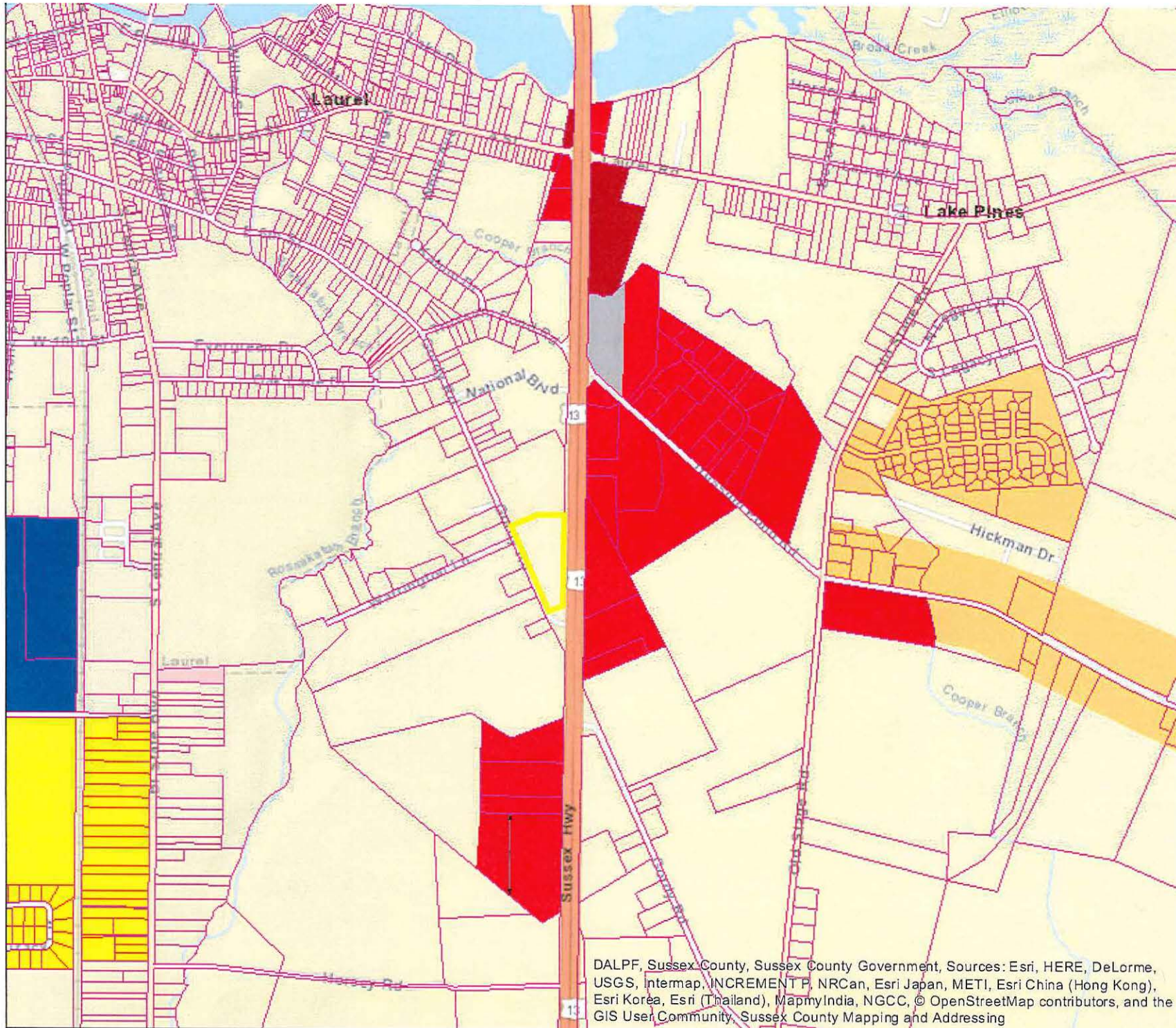
🏘 Municipalities

🏘 Communities

🏘 Boundaries State County

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**Addresses / Parcels**

□ TaxParcels

**Council Districts**

□ Fire Districts

□ County District 01

□ County District 02

□ County District 03

□ County District 04

□ County District 05

□ County Boundaries

**Schools/Libraries**

▤ School Buildings (Various)

▤ School Library

▤ Public Library

▤ Special Library

▤ DOE School Districts

▤ DOE VoTech School Districts

**Hydrology**

~ Streams / Rivers

■ Lakes, Ponds, Bays

**Flood Zones**

■ 0.2% Annual Chance Flood Hazard

□ A

□ AE

□ AO

■ Open Water

■ VE

▬ Public Protected Lands

▬ Municipalities

▬ Communities

▬ Boundaries State County

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**To Be Introduced 04/25/17**

**Council District No. 5 – Arlett  
Tax I.D. No. 332-1.00-67.01  
911 Address: 32129 Gordy Road, Laurel**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PRODUCE STAND TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LITTLE CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 5.9 ACRES, MORE OR LESS**

**WHEREAS, on the 30th day of March 2017, a conditional use application, denominated Conditional Use No. 2092, was filed on behalf of Timothy Robinson; 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. 2092 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. 2092 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 Little Creek Hundred, Sussex County, Delaware, and lying on the east side of Gordy Road, on the west side of Sussex Highway (U.S. Route 13) at the intersection, and being more particularly described per the attached Deed prepared by Haller & Hudson, said parcel containing 5.9 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



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
sussexcountyde.gov

# Sussex County Planning & Zoning Commission

## PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date August 14, 2017

Application: CU 2093 John Huss KH

Applicant: John Huss  
113 Falls Rd.  
Milton, DE 19968

Owner: Sandra Prettyman  
26068 Prettyman Rd.  
Georgetown, DE 19947

Site Location: North side of Lewes-Georgetown Hwy. (Rt. 9) approximately 2,723 ft.  
west of Prettyman Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Current Use: Agricultural

Proposed Use: Landscape business with equipment storage

Comprehensive Land  
Use Plan Reference: Low Density

Councilmatic  
District: Mr. Burton

School District: Indian River School District

Fire District: Georgetown Fire District

Sewer: Unknown

Water: Unknown

Site Area: 3.74 ac. +/-

Tax Map ID.: 235-30.00-6.20





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janelle.cornwell@sussexcountyde.gov



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 22, 2017

RE: County Council Report for CU 2093 John Huss

---

The Planning and Zoning Department received an application (CU 2093 John Huss) to allow for a landscaping business with equipment storage. The Planning and Zoning Commission held a public hearing on August 24, 2017. The following are the minutes and motion for the Conditional Use 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, comments from the Sussex County Utility Planning Division, results from the Service Level Evaluation from DelDOT, that stated that a TIS is not required, a site plan and Ms. Cornwell read into the record 1 letter of concern from Mr. John F. Lingo, III.

The Commission found that Mr. Glen Mandalas an attorney with Baird Mandalas Brockstedt, LLC and Mr. John Huss were present on behalf of the application; that they are proposing a 3200 SF building for equipment storage, that vehicles will be stored in the back of the property; that 3 vehicles will not be located within the building and will be stored behind the building; he has 13 employees; that he would like to keep hours of operation of 7am-5pm; that employees show up on site and pick up a work vehicle and leave so there is not a lot of traffic during the day; that there is no storage of chemicals on the site; that there are no major deliveries to the site; that they typically load and unload lawn mowers on trucks the morning that may create some noise; that to the east of the site is the Delaware Turkish Educational Foundation which they plan to plant an evergreen buffer; that the Deerwood subdivision with approximately 65 homes is across the street with some buffer; that to the west of the site is a 48 ac. wooded area; that the applicant is willing to move the gravel driveway that crosses the property line onto his property; however, they do not see the need to provide an additional buffer to the site that is already pretty wooded; that the use is consistent with uses and zoning along Rt. 9; that there will be no manufacturing or dying of mulch on site; that they will screen the dumpsters; that the gravel road has been on the site prior to purchase of the property and are willing to remove it; that the applicant is typically on site around 6:30am to do paperwork and employees show up on site at 7am, leave by 7:30am and come back no later than 5:30pm; that work on equipment is done elsewhere and not on the site; that they have no mechanic on staff; that they would like a sign on the building; that they will provide low voltage lighting for night; that the Rt. 9 entrance will be the only access to the



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GEORGETOWN, DELAWARE

site; that he has 8 trucks and most are stored within the building; that no materials are stored on site; that he purchases the material from Stockley Materials and dump at the end of the day there; that he keeps a clean site; that they recognize the potential for interconnectivity with the adjacent properties; and that there are no deed restrictions regarding the operation of a business on the site.

The Commission found that no one was in support of the application.

The Commission found that Floyd Bucchi, Mike Gill spoke in opposition to the application and had concerns about access off of Prettyman Rd. and that the site is not located off of Prettyman Rd., that their deed prohibits the operation of a business and has concern with the use of the business; that he has concern about the lack of maintenance about Old Wood Ln.; that he had concern with additional traffic along Old Wood Ln. and is ok with closing off the gravel road off of Rt. 9 to eliminate traffic to their houses along the private road (Old Wood Ln.).

The Commission found that Julia Bucchi, submitted a letter in opposition from another neighbor.

At the conclusion of the public hearings, the Commission discussed this application.

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

The Commission discussed this application which has been deferred since August 24, 2017.

Mr. Hopkins moved that the Commission recommend approval of Conditional Use # 2093 for John Huss for a landscape business with equipment storage based on the record made during the public hearing and for the following reasons:

1. The property is located along Route 9, which is an appropriate location for this limited type of use.
2. The property is zoned AR-1 Agricultural Residential. The use of the property as a landscaping business with equipment storage is consistent with the underlying agricultural zoning of the property.
3. The applicant has stated that all landscaping work is performed offsite, and that there will not be any dumping on the site. Also, there will not be any major deliveries to the site as part of the business.
4. There will be no retail sales from the property, and the use is limited in nature. It will not adversely affect neighboring properties, roadways or traffic.
5. The applicant has stated that his landscaping company provides a service to a wide variety of Sussex County residents and businesses. This intended use is of a public or semi-public character that will benefit the residents and businesses of Sussex County.
6. This recommendation is subject to the following conditions:
  - A. This use shall be limited to a landscaping business with equipment storage. No retail sales shall be conducted from the site.
  - B. No manufacturing shall occur on the site. This prohibition includes the shredding or grinding of any materials and also includes the dyeing of mulch or similar materials.
  - C. One lighted sign, not to exceed 32 square feet per side, shall be permitted.

- D. The hours of operation shall be limited to 6:30 am through 6:00 pm, Monday through Saturday.
- E. Any security lighting shall be screened so that it does not shine on neighboring properties or roadways.
- F. The applicant shall comply with all DelDOT requirements, including any entrance or roadway improvements.
- G. All stormwater management facilities shall be subject to the review and approval of the Sussex Conservation District. The Final Site Plan shall include the approval of the Sussex Conservation District for the design and location of the stormwater management areas.
- H. As stated by the applicant, there shall be no dumping on the site, and any dumpsters on the site shall be screened from the view of neighboring properties and roadways.
- I. The Final Site Plan shall clearly show all areas for vehicle equipment storage and parking, and these areas shall be clearly marked on the site itself. There shall not be any parking or storage within the property's setbacks.
- J. Several nearby property owners wanted the dirt road that runs along the western side of the property to be closed. The applicant has stated that the area of the existing dirt roadway along western boundary of the property shall be removed within his property. This shall be shown on the Final Site Plan.
- K. The Final Site Plan shall be designed to allow interconnectivity with adjacent properties along Route 9 if those properties are developed in the future.
- L. Failure to comply with any of these conditions shall be grounds for termination of the Conditional Use approval.
- M. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, 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.

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**Sussex County**  
DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: August 15, 2017  
RE: Staff Analysis for CU 2093 John Huss

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2093 John Huss to be reviewed during the August 24, 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 235-30.00-6.20 to allow for the use as a landscape business with equipment storage. The size of the property to be used for the Conditional Use is 3.74 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.

The surrounding land use to the north, south, east, and west are Low Density. The Low Density Areas land use designation 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 landscape business with equipment storage could be considered consistent with the land use, and surrounding zoning. Staff notes that there is an opportunity to screen the area of the site to be used as part of the business from the adjacent residential uses.







### Addresses / Parcels

Tax Parcels

### Council Districts

Fire Districts

County District 01

County District 02

County District 03

County District 04

County District 05

County Boundaries

### Schools/Libraries

School Buildings (Various)

School Library

Public Library

Special Library

DOE School Districts

DOE VoTech School Districts

### Hydrology

Streams / Rivers

Lakes, Ponds, Bays

### Flood Zones

0.2% Annual Chance Flood Hazard

A

AE

AO

Open Water

VE

Public Protected Lands

Municipalities

Communities

Boundaries State County



DALEF, Delaware Department of Education, Sussex County, Sussex County Government, Sussex County Mapping and Addressing, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community











**Introduced 05/09/17**

**Council District No. 3 – Burton  
Tax I.D. No. 235-30.00-6.20  
911 Address: Not Available**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPE BUSINESS WITH EQUIPMENT STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 3.740 ACRES, MORE OR LESS**

**WHEREAS, on the 31st day of March 2017, a conditional use application, denominated Conditional Use No. 2093, was filed on behalf of John Huss; 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. 2093 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. 2093 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 Broadkill Hundred, Sussex County, Delaware, and lying on the northwest corner of Lewes Georgetown Highway (Route 9) and Prettyman Road, and being more particularly described per the attached deed prepared by Tunnell & Raysor, P.A., said parcel containing 3.740 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



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# Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date August 14, 2017

Application: CU 2094 Robert Downs KS

Applicant/Owner: Robert Downs  
821 E. Market St.  
Georgetown, DE 19947

Site Location: 15584 Walkabout Ln.  
South side of Round Pole Bridge Rd. approximately 1.23 miles  
northeast of Cave Neck Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Current Use: Agricultural

Proposed Use: Cemetery

Comprehensive Land  
Use Plan Reference: Low Density

Councilmatic  
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Milton Fire District

Sewer: Unknown

Water: Unknown

Site Area: 0.7774 ac. +/-

Tax Map ID.: 235-21.00-163.01



COUNTY ADMINISTRATIVE OFFICES  
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## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 22, 2017

RE: County Council Report for CU 2094 Robert Downs

---

The Planning and Zoning Department received an application (CU 2094 Robert Downs) to allow for a cemetery. The Planning and Zoning Commission held a public hearing on August 24, 2017. The following are the minutes and motion for the Conditional Use from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission the submitted into the record as part of the application were a staff analysis, Sussex County Utility Planning Division, results from the Service Level Evaluation from DelDOT, that stated that a TIS is not required, and a survey.

The Commission found that Harold Dukes, attorney with Tunnell and Raysor and Mr. Robert Downs were present on behalf of the application; that it was the request of Mr. Downs father to create the family cemetery; that the cemetery would be located near the house; that there is already a fence around the area for the cemetery; that it would be for family only; that there are no plans to develop the area; that his family would like to be buried on the site; that they will not sell and plots; and that they have talked to the Cemetery Board about setting up a maintenance account.

The Commission found no persons in support of or in opposition to the application.

At the conclusion of the public hearings, the Commission discussed this application.

Ms. Stevenson stated that she would move that the Commission recommend approval of C/U #2094 for Robert Downs for a cemetery based upon the record made during the public hearing and for the following reasons:

1. The applicant is seeking to establish a family cemetery within a larger tract of land owned by the applicant. It will not be operated as a business and no cemetery plots will be sold.
2. This request is consistent with family cemeteries that have been in existence for centuries all over Sussex County.



3. This application will not adversely affect neighboring properties or roadways in any way.
4. The applicant will need to comply with all requirements of other state agencies when establishing and maintaining the cemetery. The applicant shall establish a method for permanently maintaining the cemetery grounds.
5. No parties appeared in opposition to the request.
6. The final site plan shall be subject to the approval of the Planning and Zoning Commission.

Motion by Ms. Stevenson, 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.

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**Sussex County**

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## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: August 15, 2017  
RE: Staff Analysis for CU 2094 Robert Downs

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2094 Robert Downs to be reviewed during the August 24, 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 235-21.00-163.01 (portion of) to allow for the use as a Cemetery. The area of the property to be used for the Conditional Use is 0.7774 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.

The surrounding land use to the north, south, east, and west are Low Density. The Low Density Areas land use designation 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 cemetery could be considered consistent with the land use, and surrounding zoning. Staff notes that the applicant will have to comply with all State requirements for the creation of a new cemetery.







### Addresses / Parcels

■ TaxParcels

### Council Districts

■ Fire Districts

■ County District 01

■ County District 02

■ County District 03

■ County District 04

■ County District 05

□ County Boundaries

### Schools/Libraries

■ School Buildings (Various)

■ School Library

■ Public Library

■ Special Library

■ DOE School Districts

■ DOE VoTech School Districts

### Hydrology

■ Streams / Rivers

■ Lakes, Ponds, Bays

### Flood Zones

■ 0.2% Annual Chance Flood Hazard

■ A

■ AE

■ AO

■ Open Water

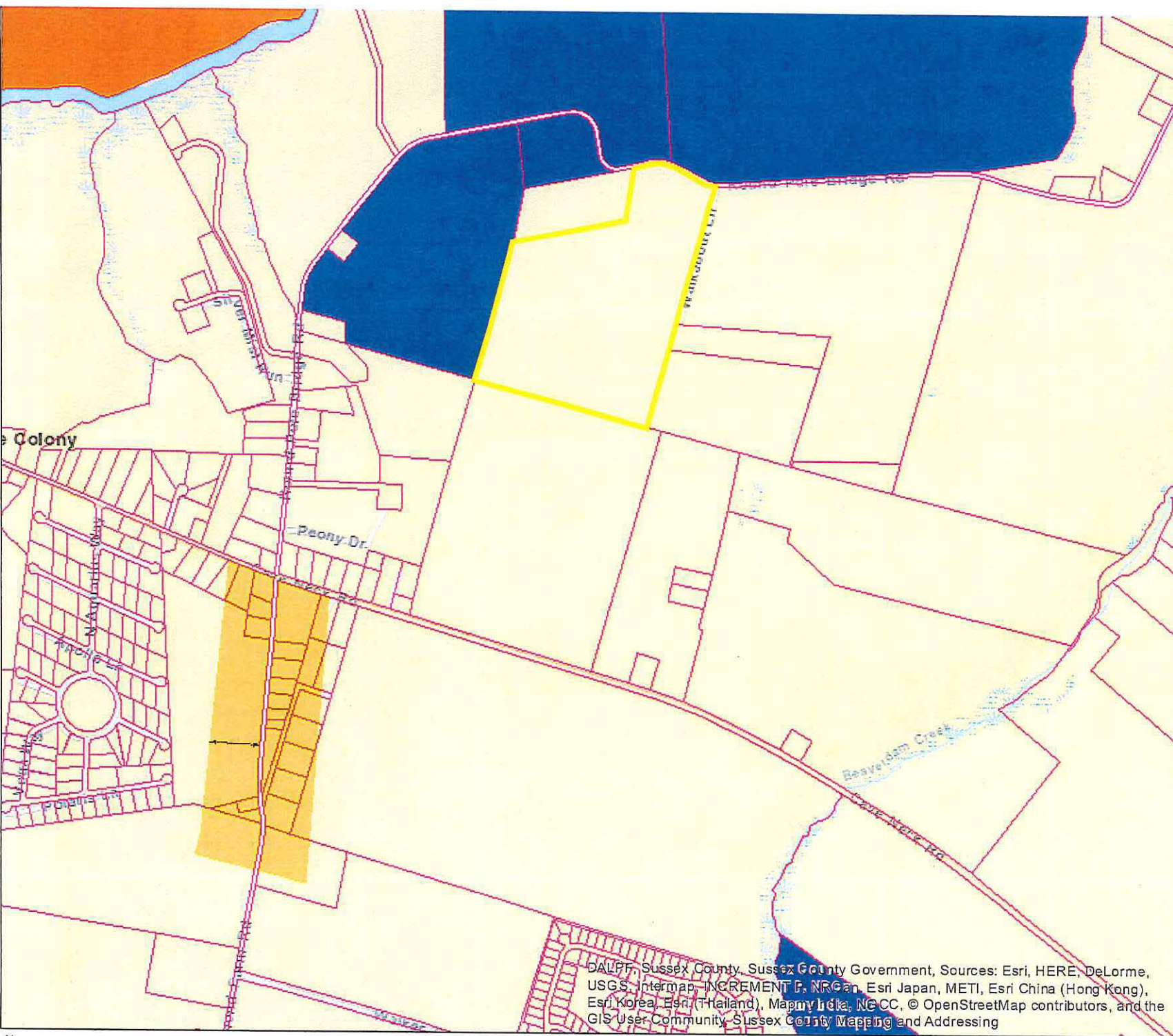
■ VE

■ Public Protected Lands

■ Municipalities

■ Communities

■ Boundaries State County



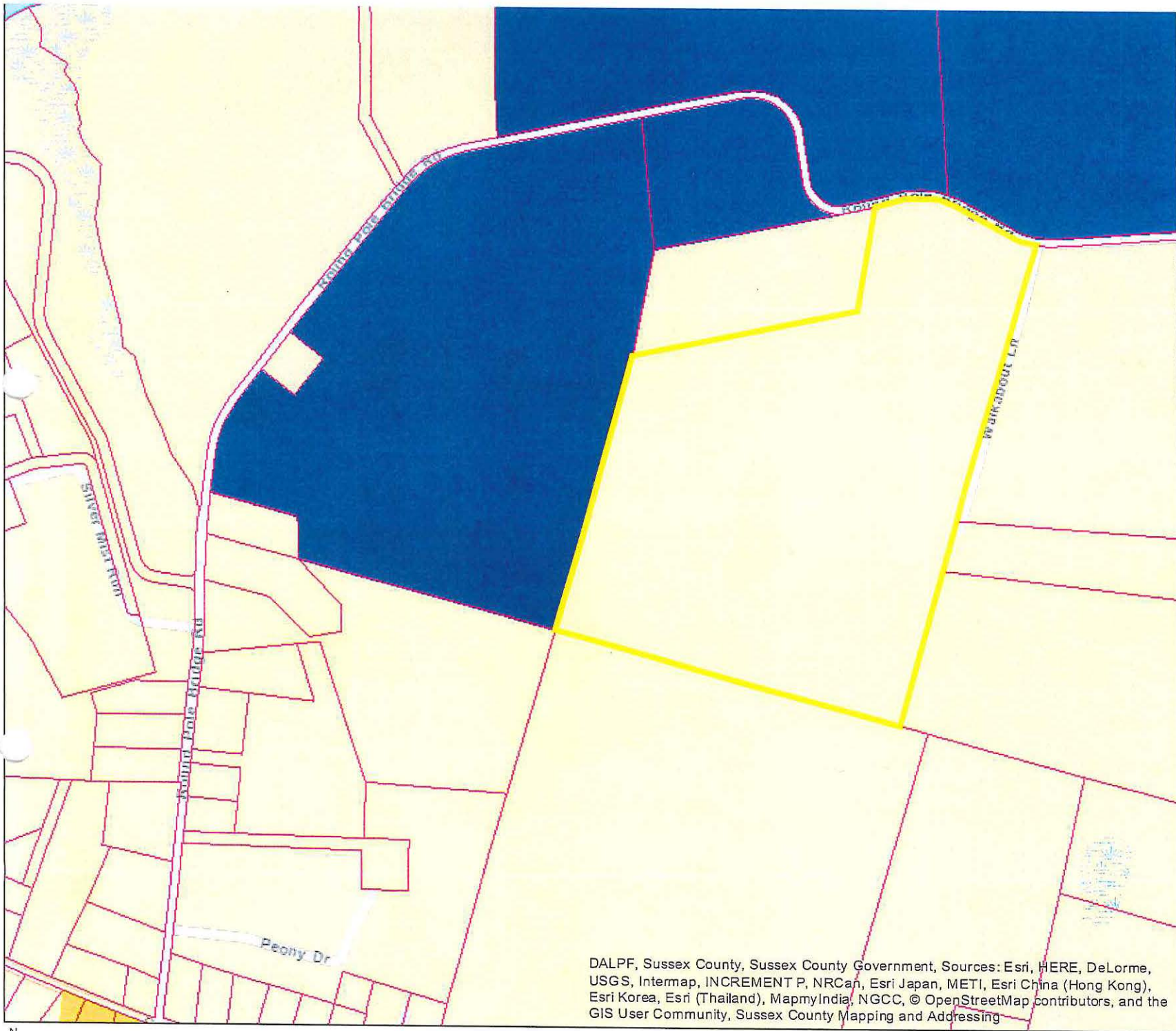
DALPT - Sussex County, Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Mapmy India, NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing

Sussex County Man

0 625 1,250 2,500 3,750 5,000







**Addresses / Parcels**

- TaxParcels

**Council Districts**

- Fire Districts
- County District 01
- County District 02
- County District 03
- County District 04
- County District 05
- County Boundaries

**Schools/Libraries**

- School Buildings (Various)
- School Library
- Public Library
- Special Library
- DOE School Districts
- DOE VoTech School Districts

**Hydrology**

- Streams / Rivers
- Lakes, Ponds, Bays

**Flood Zones**

- 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- Open Water
- VE

- Public Protected Lands

- Municipalities

- Communities

- Boundaries State County

DALPF, Sussex County, Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing





### Addresses / Parcels

- TaxParcels

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### Hydrology

- Streams / Rivers
- Lakes, Ponds, Bays

### Flood Zones

- 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- Open Water
- VE

- Public Protected Lands

- Municipalities

- Communities

- Boundaries State County

DALFF, Sussex County, Sussex County Government, Sussex County Mapping and Addressing, Source: Esri, Datacube, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

**Introduced 05/09/17**

**Council District No. 3 – Burton  
Tax I.D. No. 235-21.00-163.01 (portion of)  
911 Address: 15584 Walkabout Lane, Milton**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A CEMETERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 0.7774 ACRE, MORE OR LESS**

**WHEREAS, on the 13th day of March 2017, a conditional use application, denominated Conditional Use No. 2094, was filed on behalf of Robert Downs; 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. 2094 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. 2094 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 Broadkill Hundred, Sussex County, Delaware, and lying on the south side of Round Pole Bridge Road, approximately 1.23 miles northeast of Cave Neck Road, and being more particularly described per the attached deed prepared by David W. Baker, Esq., P.A., said parcel containing 0.7774 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.**



MARTIN L. ROSS, CHAIRMAN  
KIM HOEY STEVENSON, VICE CHAIRMAN  
R. KELLER HOPKINS  
DOUGLAS B HUDSON  
ROBERT C. WHEATLEY



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# Sussex County

## Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date August 14, 2017

Application: CU 2096 Capitol Buildings Shed Outlet KH

Applicant: Capitol Buildings Shed Outlet  
15 Cypress Ave.  
Wilmington, DE 19804

Owner: Roy, Susan & John Wattenbarger  
28922 Lewes-Georgetown Hwy.  
Lewes, DE 19958

Site Location: 28922 Lewes-Georgetown Hwy.  
South side of Lewes-Georgetown Hwy. approximately 972 ft. east of  
Josephs Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Current Use: Residential

Proposed Use: Gazebo and shed business with outdoor storage

Comprehensive Land  
Use Plan Reference: Low Density

Councilmatic  
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Unknown

Water: Unknown

Site Area: 1.040 ac. +/-

Tax Map ID.: 334-4.00-55.00



COUNTY ADMINISTRATIVE OFFICES  
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**Sussex County**

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## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: September 22, 2017

RE: County Council Report for CU 2096 Capitol Buildings Shed Outlet

---

The Planning and Zoning Department received an application (CU 2096 Capitol Buildings Shed Outlet) to allow for a gazebo and shed business with outdoor storage. The Planning and Zoning Commission held a public hearing on August 24, 2017. The following are the minutes and motion for the Conditional Use 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, comments from the Sussex County Utility Planning Division, results from the Service Level Evaluation from DelDOT, an exhibit book, and a site plan and 1 letters in opposition.

The Commission found that Mr. Tim Willard an attorney with Fuqua, Willard, Stevens & Schab, PA, Mr. Steven Fender and Jennifer Sharp were present on behalf of the application; that the family has been in shed business since 1970's; that they operated a site on Cave Neck Rd. and Rt. 1; that they are looking to located to a permanent site for their business and live in the house on the site; that the property is zoned AR-1; and the use and site is desirable and convenient for the community; that the site is identified as Low Density in the Comprehensive Plan; that there is a circular driveway on site with a path to the rear going to 6 parking spaces; that 2 sheds and gazebo will be displayed in the front yard; that there will be another are in the rear yard for display area; that the sheds and gazebos are for show; that no sheds or gazebos are manufactured on site; that they are ordered through them and manufactured at a different location in Pennsylvania; that deliveries go from the manufacture in Pennsylvania to the customer so there are no deliveries to the site; that the site is for show and sales only; that they may sell a shed or gazebo from site when they get new models; that the number of models on the site may fluctuate depending on the models; that they take orders for the sheds and gazebos only; that they do a lot of custom orders of shed to comply with homeowner association regulations; that there is a hedge row in the rear of the property; that there is no access off of Fisher Rd.; that there access is off of Rt. 9; that there is limited truck deliveries and that only occurs when new models are dropped off about every 6 months; that the applicant has a small truck for small deliveries; that this will be their primary site; that they sell up to 9 a month; that they will put a fence up with an evergreen screen to maintain the natural feel of the area for the neighbors; that they have 25





letters in support of their application; that they want to maintain some open space in the rear yard for their personal area as they will live on the site; that they have updated the conceptual site plan to show parking in the front to address some concerns from the neighbors; that they proffered a condition that the owners have to live on the site; that they have limited lighting on the shed and turned off of at 9:30pm along with other conditions in the exhibit book; that the applicants property is not part of the subdivision with access off of Fisher Ln.; that there is a 50 ft. right-of-way behind the applicants property which he has no access to; and that there are commercial uses and zoning within the area.

The Commission found that Steve Glass appeared in support of the application; that he has known the family for 30 years and the business supplies the families in the community.

The Commission found that William Hamet spoke in opposition of the application; that he has concern with sharing the private road in the rear of the property; that he pays taxes on the private road and has concern with maintenance; that he has concern with privacy concerns, traffic, safety and aesthetics of the area.

At the conclusion of the public hearings, the Commission discussed this application.

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

The Commission discussed this application which has been deferred since August 24, 2017.

Mr. Hopkins moved that the Commission recommend approval of Conditional Use # 2096 for Capitol Buildings Shed Outlet for a gazebo and shed business with outdoor storage based upon the record made during the public hearing and for the following reasons:

1. This use is limited in nature. It is a location for model sheds and gazebos to be viewed for purchase from the manufacturer. It is not a location where sheds or gazebos are stockpiled for sale from the site. Once purchased, sheds and gazebos are delivered directly from the manufacturer to the purchaser's property.
2. The use as location for model sheds will not require extensive deliveries to or from the site, and the use does not generate a significant amount of traffic from customers.
3. This limited use, as a display area for sheds and gazebos, is appropriate for this location along Route 9.
4. The use is consistent with area zonings and uses. The property across Route 9 is zoned commercial, and there are other commercial uses in the vicinity on both sides of Route 9. There are also numerous conditional uses in the area. This is an appropriate location for this conditional use.
5. The applicant has stated that he provides a convenient location and service for Sussex County property owners who desire to place sheds and gazebos on their properties.
6. The limited use will not have an adverse impact upon traffic, roadways or area properties.
7. The applicant has stated that they intend to restore and reside in the farmhouse that exists on the property. As a result, they will have control over the use and maintenance of the property at all times.
8. This recommendation is subject to the following conditions:

- A. The use shall be limited to the display of model sheds and gazebos that are for sale. No other sales shall occur on the property.
- B. No sheds or gazebos shall be constructed, stockpiled or inventoried on the property. As stated by the applicant, all sheds and gazebos on the property shall be display models, used by customers to inspect prior ordering the structures for delivery from the off-site builder directly to their properties.
- C. As stated by the applicant, the home on the property shall be the owner's primary residence which shall include a small office for the business.
- D. A fence with landscaping shall be installed along the side and rear property lines to screen this property from the neighbors. The type of landscaping and location of the fence shall be shown on the final site plan.
- E. The hours of operation shall be limited to 9:00 am until 5:00 pm, Monday through Saturday, and between 10:00 am and 4:00 pm on Sundays.
- F. As stated by the applicant, signage shall be limited to one lighted sign along the roadway not to exceed 6 square feet in size, and one sign on the building not to exceed 4 square feet in size. The location of the roadway sign shall be shown on the Final Site Plan.
- G. Any lighting directed at the display models shall be screened so that it does not shine on neighboring properties or roadways. As stated by the applicant, it will be turned off no later than 9:30 pm each day.
- H. All parking areas shall be shown on the Final Site Plan and clearly marked on the site itself.
- I. All entrances shall be subject to all DeIDOT requirements.
- J. No trucks associated with the use shall be parked or idling along Route 9.
- K. The applicant shall allow for interconnectivity with the adjacent properties along Route 9 if they are ever redeveloped.
- L. The failure to abide by these conditions shall result in the termination of the conditional use approval.
- M. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, 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.

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## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: August 15, 2017  
RE: Staff Analysis for CU 2096 Capitol Buildings Shed Outlet

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2096 Capitol Buildings Shed Outlet to be reviewed during the August 24, 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 334-4.00-55.00 to allow for the use as a gazebo and shed business with outdoor storage. The area of the property to be used for the Conditional Use is 1.040 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.

The surrounding land use to the north, south, east, and west are Low Density. The Low Density Areas land use designation 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 are zoned AR-1 (Agricultural Residential District), CR-1 (Commercial Residential District) and C-1 (General Commercial District). The properties to the 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 gazebo and shed business with outdoor storage could be considered consistent with the land use, and surrounding zoning. Staff notes that there is an opportunity to provide screening along the rear and east side of the property to screen from the adjacent residential uses.







**Addresses / Parcels**

□ TaxParcels

**Council Districts**

□ Fire Districts

- County District 01
- County District 02
- County District 03
- County District 04
- County District 05

□ County Boundaries

**Schools/Libraries**

- ▣ School Buildings (Various)
- ▣ School Library
- ▣ Public Library
- ▣ Special Library
- ▣ DOE School Districts
- ▣ DOE VoTech School Districts

**Hydrology**

- ▣ Streams / Rivers
- ▣ Lakes, Ponds, Bays

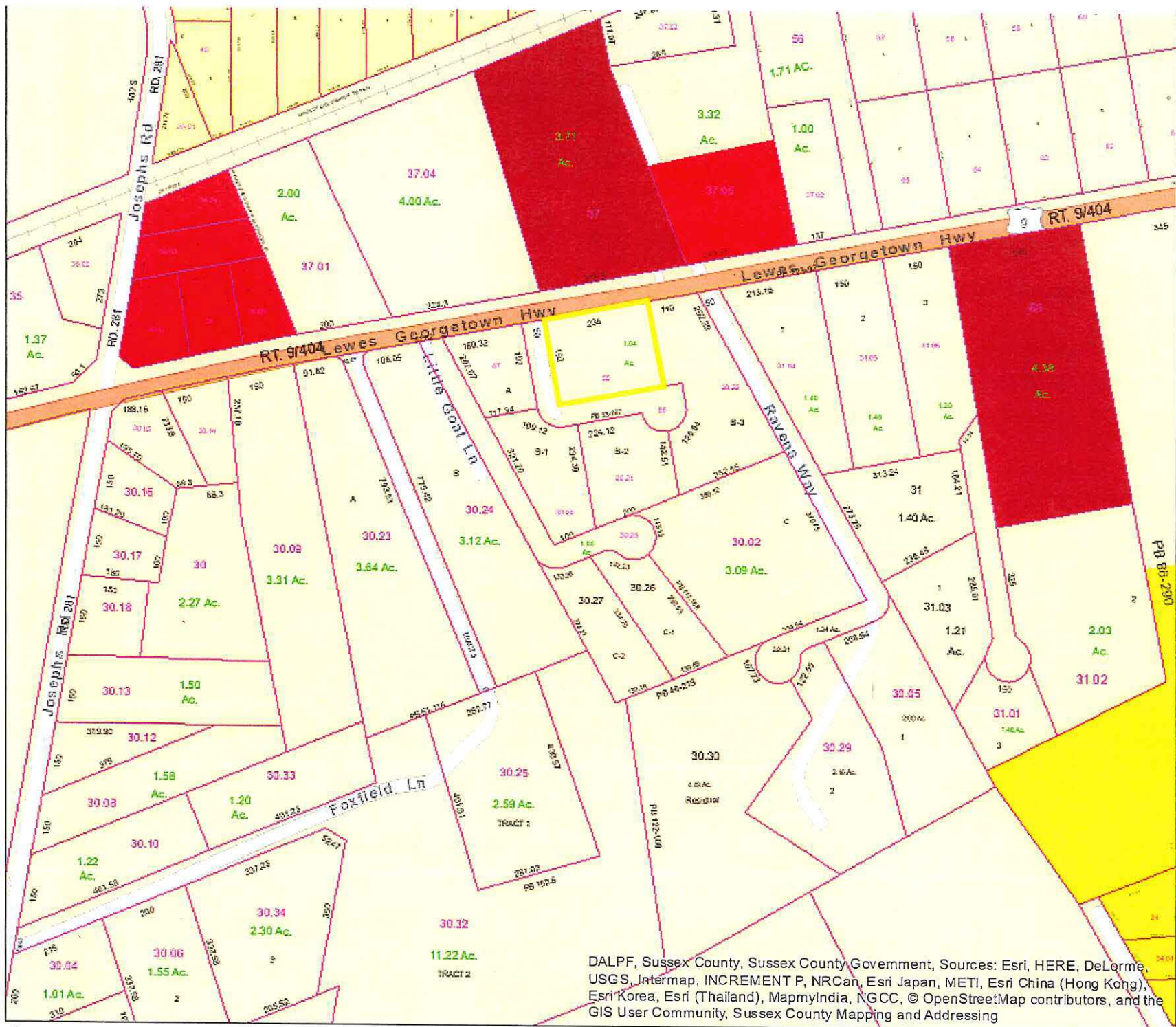
**Flood Zones**

- ▣ 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- ▣ Open Water
- ▣ VE

- ▣ Public Protected Lands
- ▣ Municipalities
- ▣ Communities
- ▣ Boundaries State County

DALPF, Sussex County, Sussex County Government, Sussex County Mapping and Addressing, Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





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**Hydrology**

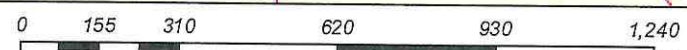
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**Flood Zones**

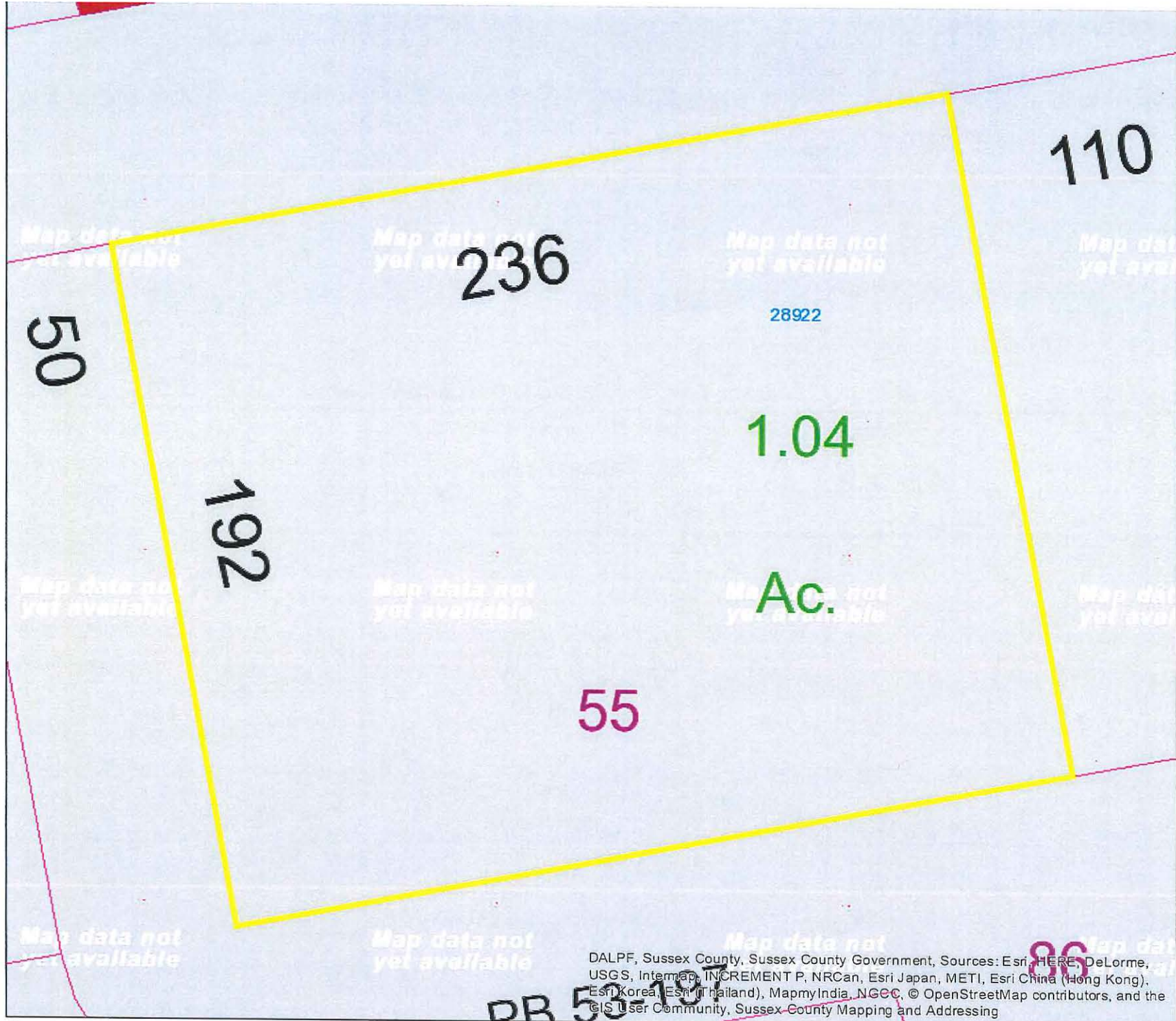
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- Boundaries State County

DALPF, Sussex County, Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing







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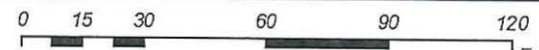
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**Introduced 05/09/17**

**Council District No. 3 – Burton**

**Tax I.D. No. 334-4.00-55.00**

**911 Address: 28922 Lewes Georgetown Highway, Lewes**

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A GAZEBOS AND SHED BUSINESS WITH OUTDOOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.040 ACRES, MORE OR LESS**

**WHEREAS, on the 11th day of April 2017, a conditional use application, denominated Conditional Use No. 2096, was filed on behalf of Capitol Buildings Shed Outlet; 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. 2096 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. 2096 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 south side of Lewes Georgetown Highway (Route 9), approximately 972 feet east of Josephs Road, and being more particularly described per the attached deed prepared by Moore & Rutt, P.A., said parcel containing 1.040 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.**