



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

**MEETING:  
March 15, 2016**

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**Sussex County Council  
2 The Circle | PO Box 589  
Georgetown, DE 19947  
(302) 855-7743**

MICHAEL H. VINCENT, PRESIDENT  
SAMUEL R. WILSON JR., VICE PRESIDENT  
ROBERT B. ARLETT  
GEORGE B. COLE  
JOAN R. DEEVER



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

# Sussex County Council

## AGENDA

MARCH 15, 2016

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Consent Agenda

1. **Wastewater Agreement No. 638-7**  
**Sussex County Project No. 81-04**  
**The Estuary – Phase 1A-1 (Construction Record)**  
**Miller Creek Sanitary Sewer District**
2. **Wastewater Agreement No. 638-8**  
**Sussex County Project No. 81-04**  
**The Estuary – Phase 1A-2 (Construction Record)**  
**Miller Creek Sanitary Sewer District**
3. **Wastewater Agreement No. 558-7**  
**Sussex County Project No. 81-04**  
**Peninsula Lakes – Phase 2 (Construction)**  
**Long Neck Sanitary Sewer District**
4. **Wastewater Agreement No. 843-6**  
**Sussex County Project No. 81-04**  
**Vincent Overlook – Phase 5**  
**West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District**



**Todd Lawson, County Administrator**

**1. Administrator's Report**

**Gina Jennings, Finance Director**

**1. Employee of the 4th Quarter Customer Service Award**

**Brad Whaley, Director of Community Development & Housing**

**1. Housing Preservation Grant**

**Joe Wright, Assistant County Engineer**

**1. Goslee Creek Regional Pump Station, Force Main & Gravity Sewers, Project 15-09**

**A. Recommendation to Award**

**B. Construction Administration & Inspection**

**2. Summercrest Community Subdivision Completion, Project 12-30**

**A. Recommendation to Award**

**Aref Etemadi, Planning Technician**

**1. Proposed ZZ Real Properties, LLC Annexation of the Long Neck Sanitary Sewer District**

**A. Request to Prepare and Post Notices**

**Jamie Sharp, Assistant County Attorney**

**1. Sign Ordinance Discussion and Recommendation**

**Grant Requests**

**1. Milford High School for the After Prom event**

**2. Milford Museum for operating expenses**

**3. Millsboro Art League for supply cabinets**

**4. City of Seaford for Riverfest**

**5. Laurel Chamber of Commerce for the Broad Creek Bike and Brew event**

6. **Greater Seaford Chamber of Commerce for the Woodland Ferry Festival**

7. **Ducks Unlimited, Nanticoke Chapter, for wetlands conservation**

**Introduction of Proposed Zoning Ordinances**

**Council Members' Comments**

**12:00 p.m. Luncheon – County Firefighters & County Chiefs Associations**

Location – The Brick Restaurant, Georgetown

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

**Conditional Use No. 2036 filed on behalf of Jimi Kellogg**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GENERAL RESIDENTIAL DISTRICT FOR PARKING OF EMPLOYEE VEHICLES AND VANS FOR A CLEANING SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 22,323 SQUARE FEET, MORE OR LESS” located northeast of Field Lane, a subdivision street, 200 feet southeast of Munchy Branch Road (Road 270-A) (Tax I.D. No. 334-13.00-873.00) (911 Address: 36181 Field Lane, Rehoboth Beach)

**Conditional Use No. 2037 filed on behalf of Gilbert J. Bernoski, Jr.**

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GENERAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.101 ACRES, MORE OR LESS” located northeast of Mount Joy Road (Road 297) 0.4 mile east of Gravel Hill Road (Route 30) (Tax I.D. No. 234-21.00-50.00) (911 Address: 26371 Mount Joy Road, Millsboro)

**Executive Session – Personnel pursuant to 29 Del. C. §10004(b)**

**Possible Action on Executive Session Items**

**Adjourn**

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

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on March 8, 2016 at 5:15 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

###

**SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, MARCH 8, 2016**

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, March 8, 2016, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

<b>Michael H. Vincent</b>	<b>President</b>
<b>Samuel R. Wilson, Jr.</b>	<b>Vice President</b>
<b>George B. Cole</b>	<b>Councilman</b>
<b>Joan R. Deaver</b>	<b>Councilwoman</b>
<b>Robert B. Arlett</b>	<b>Councilman</b>
<b>Todd F. Lawson</b>	<b>County Administrator</b>
<b>Gina A. Jennings</b>	<b>Finance Director</b>
<b>J. Everett Moore, Jr.</b>	<b>County Attorney</b>

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

**Call to  
Order**

Mr. Vincent called the meeting to order.

**M 120 16  
Approve  
Agenda**

A Motion was made by Mrs. Deaver, seconded by Mr. Wilson, to approve the Agenda, as posted.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Minutes**

The minutes of March 1, 2016 were approved by consent.

**Public  
Comments**

**Public Comments**

Kevin Burdette referenced the Comprehensive Plan Workshop held on March 1st and planned public input for the 2018 Comprehensive Land Use Plan. Mr. Burdette submitted written comments in a letter to Council on this date.

Dan Kramer commented on DNREC and the Sussex Conservation District. Mr. Kramer distributed copies of a newspaper article entitled "Clearing up confusing statistics about Delaware's waterways".

Jeanette Cosgrove, Jean Ward, and Marie Robles commented on the Proposed Herring Creek Sanitary Sewer District and Proposed Winding Creek Water District. Ms. Cosgrove submitted copies of the County Engineering Department's letter dated August 3, 2012 to property owners in the Herring Creek Planning Area, a copy of Delaware Code §6506

**Public  
Comments  
(continued)**

**“Election on question of establishment of district”, and the County Engineering Department’s letter dated February 3, 2014 to property owners regarding the Proposed Herring Creek Sanitary Sewer District.**

**Adminis-  
trator’s  
Report**

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

**1. Office of Animal Welfare Meeting**

**On March 29, 2016, the Office of Animal Welfare will host a community event to introduce the public to Delaware Animal Services. The meeting will be an opportunity to learn more about animal control and cruelty enforcement services in the State, meet Animal Welfare Officers serving in each county, and ask questions.**

**The meeting will take place at 6:00 p.m. in the County Council Chambers in the County Administrative Offices building located at 2 The Circle in Georgetown. The public is encouraged to attend.**

**State Retail  
Supply  
Contract  
for  
Electricity/  
MOA**

**Mrs. Jennings presented a Memorandum of Agreement (MOA) with the State of Delaware to include the County’s Delmarva Power electric accounts in the State’s electric supply contract, as has been done since 2006. The County’s existing electric supply agreement with NRG will expire in July, which means the State and the other aggregated partners will start the bid process in April. Mrs. Jennings reported that Affinity Energy Management has been hired by the State of Delaware to bid out the electricity supply; the term of the next energy contract will be based on the best value achieved through the bidding process. As in the past, Sussex County has the option to opt out of the MOA with 90 days’ notice.**

**M 121 16  
Enter into  
MOA with  
State of  
Delaware/  
State  
Retail  
Supply  
Contract for  
Electricity**

**A Motion was made by Mrs. Deaver, seconded by Mr. Cole, that the Sussex County Council enter into a Memorandum of Agreement with the State of Delaware to add the County’s Delmarva Power electric accounts to the State’s electric supply contract.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Improve  
Utilities/  
Airfield  
Lighting/  
Project  
15-11/  
Change  
Orders and  
Substantial  
Completion**

**Hans Medlarz, County Engineer, reported on the Improve Utilities, Airfield Lighting Project, at the Delaware Coastal Airport, Contract 15-11. Mr. Medlarz reported that the work completed under this contract consisted of the removal and replacement of the Taxiway B Lighting System. All existing Taxiway Edge Lights and associated cabling were removed and replaced with Energy Efficient LED Lighting Fixtures; all work was completed to FAA standards. Construction was scheduled to be completed on February 14, 2016; however, the work was substantially complete and operational on February 4, 2016. The Engineering Department requests Council’s approval of February 4, 2016, as the date of Substantial**

**Improve Utilities/Airfield Lighting/Project 15-11/Change Orders and Substantial Completion (continued)**

**Completion.**

Mr. Medlarz also reported that an issue was found with two directional signs located on Runway 4-22, not in compliance with FAA Advisory Circular 150/5340. The sign lighting must be operated from the Runway Lighting circuit. During construction it was discovered not to be the case. Change Order No. 1 corrects this issue.

Mr. Medlarz also reported that Runway 4-22 Lighting Circuit is presently indicating a low insulation resistance reading due to failure of the existing Primary Connector Kits. The lighting circuit is near the low minimum of 1 Megohm, as listed by the FAA requirements. Change Order No. 2 will allow these repairs and divert a potential lighting system failure.

**M 122 16 Approve Change Orders and Grant Substantial Completion/Improve Utilities/Airfield Lighting/Project 15-11**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, based upon the recommendation of the Sussex County Engineering Department, that Change Order Nos. 1 and 2 for Contract No. 15-11, Install Taxiway Lights (including Electrical Vault Improvements) be approved, which increases the Contract amount by \$25,722.50 for a new total of \$288,103.00, and that Substantial Completion of the base bid be granted effective February 4, 2016, and any held retainage be released in accordance with the contract documents, contingent upon the approval of funding from the Federal Aviation Administration.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea**

**Love Creek Elementary School Oversizing Infrastructure Agreement**

John Ashman, Director of Utility Planning, presented for Council's consideration the Love Creek Elementary School Oversizing Infrastructure Agreement, an Agreement between Sussex County and the Cape Henlopen School District. Mr. Ashman reported that the Agreement is for the installation of a sub-regional pump station and its subsequent force main to serve the school, the proposed Delaware State Police Troop No. 7 facility, and adjacent properties.

**M 123 16 Authorize Love Creek Elementary School Oversizing Infrastructure Agreement (continued)**

A Motion was made Mr. Arlett, seconded by Mr. Cole, that the Sussex County Council President is authorized to execute the Love Creek Elementary School Oversizing Infrastructure Agreement between Sussex County and the Cape Henlopen School District in accordance with Section 110-83 of Sussex County Code, as presented on March 8, 2016.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea; Mr. Arlett, Yea; Mr. Wilson, Yea; Mr. Vincent, Yea**



**Old  
Business/  
CU 2034**

**Under Old Business, the Council considered Conditional Use No. 2034 filed on behalf of Beachfire Brewery Co., LLC.**

**The Planning and Zoning Commission held a Public Hearing on this application on November 12, 2015 at which time action was deferred. On December 10, 2015, the Commission recommended that the application be approved with the following conditions:**

- a. As stated by the Applicant, there shall be no brewery operations within the former church structure, nor shall there be any patron or service bar serving alcoholic beverages located within the church structure. The kitchen facilities will also be situated in an addition to the structure.**
- b. As stated by the Applicant, the existing church structure shall be preserved to the fullest extent possible. The Final Site Plan shall contain details as to the preservation of this structure and its integration into the new restaurant and brewery structure being built on this site.**
- c. The use shall comply with all Sussex County Engineering Department requirements concerning the connection of the brewery operation to the Sussex County Sewer System.**
- d. All roadway and intersection improvements shall be subject to the requirements of DelDOT.**
- e. Stormwater management and erosion and sedimentation control shall be designed and operated using Best Management Practices to promote groundwater recharge.**
- f. The Sussex Conservation District shall review and approve the Final Site Plan.**
- g. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

**The Sussex County Council held a Public Hearing on this application on December 15, 2015 at which time action was deferred.**

**M 124 16  
Amend  
Condition  
Recom-  
mended  
by the  
P&Z  
Commission**

**A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to amend Condition a. recommended by the Planning and Zoning Commission, to read as follows: As stated by the Applicant, there shall be no brewery operations within the former church structure, nor shall there be any patron or service bar serving alcoholic beverages located within the church structure. No alcoholic beverages shall be served or consumed in the church structure. The kitchen facilities will also be situated in an addition to the structure.**

**Motion  
Defeated**

**Motion Defeated: 3 Nays, 1 Yea, 1 Abstention.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Nay;  
Mr. Arlett, Nay; Mr. Wilson, Abstained;  
Mr. Vincent, Nay**

**M 125 16  
Strike  
Condition A  
Recom-  
mended  
by the  
P&Z  
Commission**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to strike Condition a. as recommended by the Planning and Zoning Commission.**

**Motion Adopted: 3 Yeas, 1 Nay, 1 Abstention.**

**Vote by Roll Call: Mrs. Deaver, Nay; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Abstained;  
Mr. Vincent, Yea**

**M 126 16  
Adopt  
Ordinance  
No. 2438**

**A Motion was made by Mr. Arlett, seconded by Mrs. Deaver, to Adopt Ordinance No. 2438 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RESTAURANT AND BREWERY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 1.99 ACRES, MORE OR LESS" (Conditional Use No. 2034) filed on behalf of Beachfire Brewery Co., LLC, with the following conditions:**

- a. As stated by the Applicant, the existing church structure shall be preserved to the fullest extent possible. The Final Site Plan shall contain details as to the preservation of this structure and its integration into the new restaurant and brewery structure being built on this site.**
- b. The use shall comply with all Sussex County Engineering Department requirements concerning the connection of the brewery operation to the Sussex County Sewer System.**
- c. All roadway and intersection improvements shall be subject to the requirements of DelDOT.**
- d. Stormwater management and erosion and sedimentation control shall be designed and operated using Best Management Practices to promote groundwater recharge.**
- e. The Sussex Conservation District shall review and approve the Final Site Plan.**
- f. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

**Motion Adopted: 3 Yeas, 1 Nay, 1 Abstention.**

**Vote by Roll Call: Mrs. Deaver, Nay; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Abstained;  
Mr. Vincent, Yea**

**Abstention  
Grant  
Requests**

**(Mr. Wilson was not present during the Public Hearing on this application and therefore, did not participate in the discussion or the vote.)**

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

**M 127 16  
Council-  
manic  
Grant**

A Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to give \$500.00 from Mrs. Deaver's Councilmanic Grant Account to the Boy Scouts of America for Troop 1 projects and equipment.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**M 128 16  
Council-  
manic  
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$250.00 from Mr. Vincent's Councilmanic Grant Account to the Trinity Foundation for a fundraiser benefiting Nanticoke Health Services.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**M 129 16  
Council-  
manic  
Grant**

A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to First State Community Action Agency for a fundraiser benefiting youth programs and services.

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Introduction  
of Proposed  
Ordinances**

Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 4.489 ACRES, MORE OR LESS" (Change of Zone No. 1799) filed on behalf of WMF Watercraft & Marine (Tax Map I.D. No. 234-29.00-64.00, 64.01, 65.00) ( 911 Address: 27037 John J. Williams Highway, Millsboro).

Mrs. Deaver introduced the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT - RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 123.75 ACRES, MORE OR LESS" (Change of Zone No. 1800) filed on behalf of

**Introduction of Proposed Ordinances (continued)** **Sussex Real Estate Partners, LLC (Tax Map I.D. No. 334-12.00-17.00, 18.00, 19.00 and 20.00) (911 Address: None Available).**  
**The Proposed Ordinances will be advertised for Public Hearing.**

**Council Members' Comments**

**Council Members' Comments**

**Mrs. Deaver commented on the CR-1 Commercial Residential District, stating that the permitted uses in that district need to be narrowed down.**

**Mr. Vincent responded that staff has been asked to work on this. It was noted that a report will be made to the Council within the next few months.**

**Mr. Cole commented on sewer districts and he suggested that staff look into the possibility of holding separate referendums in subdivisions.**

**Mr. Arlett commented on the process for establishing sewer/water districts and the importance of the people/community having a voice.**

**Mr. Wilson commented on property rights.**

**M 130 16  
Go Into  
Executive  
Session**

**At 11:25 a.m., a Motion was made by Mr. Cole, seconded by Mr. Arlett, to recess the Regular Session and to go into Executive Session for the purpose of discussing matters relating to Collective Bargaining and Pending/Potential Litigation.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**Executive  
Session**

**At 11:35 a.m., an Executive Session of the Sussex County Council was held in the Basement Caucus Room for the purpose of discussing matters relating to Collective Bargaining and Pending/Potential Litigation. The Executive Session concluded at 12:19 p.m.**

**M 131 16  
Reconvene  
Regular  
Session**

**At 12:22 p.m., a Motion was made by Mrs. Deaver, seconded by Mr. Arlett, to come out of Executive Session and to reconvene the Regular Session.**

**Motion Adopted: 5 Yeas.**

**Vote by Roll Call: Mrs. Deaver, Yea; Mr. Cole, Yea;  
Mr. Arlett, Yea; Mr. Wilson, Yea;  
Mr. Vincent, Yea**

**E/S Action**

**There was no action on Executive Session matters.**

**M 132 16**      **At 12:22 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Cole, to**  
**Recess**            **recess and to reconvene at the West Complex for a luncheon and discussion**  
                         **with the Sussex Conservation District.**

**Motion Adopted:      4 Yeas, 1 Absent.**

**Vote by Roll Call:      Mrs. Deaver, Yea; Mr. Cole, Yea;**  
                                 **Mr. Arlett, Yea; Mr. Wilson, Absent;**  
                                 **Mr. Vincent, Yea**

**M 133 16**      **At 12:38 p.m., a Motion was made by Mr. Arlett, seconded by Mr. Cole, to**  
**Reconvene/**      **reconvene for the purpose of a luncheon and discussion with the Sussex**  
**Luncheon/**      **Conservation District.**  
**and**

**Discussion/**      **Motion Adopted:      4 Yeas, 1 Nay.**  
**Sussex**

**Conser-**      **Vote by Roll Call:      Mrs. Deaver, Yea; Mr. Cole, Yea;**  
**vation**            **Mr. Arlett, Yea; Mr. Wilson, Nay;**  
**District**            **Mr. Vincent, Yea**

**Luncheon**      **Council Members and staff attended a luncheon and discussion with the**  
**and**              **Sussex Conservation District at Sussex County's West Complex. Topics**  
**Discussion/**      **discussed were Tax Ditch Cost Share Program, 21st Century Fund Projects,**  
**Sussex**            **Sussex County Drainage Fund Projects, Agriculture Conservation**  
**Conser-**           **Programs, Conservation and Nutrient Management Planning, Conservation**  
**vation**            **Cost Share – Cover Crop Program, Sediment and Stormwater, and**  
**District**            **Contracted Services. On behalf of the Sussex Conservation District,**  
                         **District Coordinator David Baird thanked the Council for its continued**  
                         **support and funding, and presented the District's funding request for Fiscal**  
                         **Year 2017.**

**M 134 16**      **A Motion was made by Mr. Cole, seconded by Mrs. Deaver, to adjourn at**  
**Adjourn**            **1:50 p.m.**

**Motion Adopted:      5 Yeas.**

**Vote by Roll Call:      Mrs. Deaver, Yea; Mr. Cole, Yea;**  
                                 **Mr. Arlett, Yea; Mr. Wilson, Yea;**  
                                 **Mr. Vincent, Yea**

**Respectfully submitted,**

**Robin A. Griffith**  
**Clerk of the Council**

*{An audio recording of this meeting (a.m. session only) is available on the  
County's website.}*

## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 07, 2016

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
THE ESTUARY - PHASE 1A-1 (CONSTRUCTION RECORD)  
AGREEMENT NO. 638 - 7

#### DEVELOPER:

Mr. Steven Brodbeck  
Estuary Development, LLC  
26 North Pennsylvania Avenue  
P. O. Box 730  
Bethany Beach, De 19930

#### LOCATION:

South RD 363 on RD 364, east of 381

#### SANITARY SEWER DISTRICT:

Miller Creek Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

6 single family lots

#### SYSTEM CONNECTION CHARGES:

\$34,650.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
01/14/16

Department Of Natural Resources Plan Approval  
09/06/13

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 20  
Construction Admin And Construction Inspection Cost – \$8,647.57  
Proposed Construction Cost – \$57,650.46



## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 07, 2016

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
THE ESTUARY - PHASE 1A-2 (CONSTRUCTION RECORD)  
AGREEMENT NO. 638 - 8

#### DEVELOPER:

Mr. Steven Brodbeck  
Estuary Development, LLC  
26 North Pennsylvania Avenue  
P. O. Box 730  
Bethany Beach, De 19930

#### LOCATION:

South RD 363 on RD 364, east of 381

#### SANITARY SEWER DISTRICT:

Miller Creek Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

16 single family lots

#### SYSTEM CONNECTION CHARGES:

\$92,400.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
01/14/16

Department Of Natural Resources Plan Approval  
09/06/13

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 30  
Construction Admin And Construction Inspection Cost – \$13,909.80  
Proposed Construction Cost – \$92,731.98



## 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  
sussexcountype.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 07, 2016

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
PENINSULA LAKES - PHASE 2 (CONSTRUCTION)  
AGREEMENT NO. 558 - 7

#### DEVELOPER:

John Canuso, Jr  
Peninsula Lakes, LLC  
Bldg. 1, 1st Floor  
1010 Kings Highway South  
Cherry Hill, NJ 08034

#### LOCATION:

Bay Farm Road and Legion Road

#### SANITARY SEWER DISTRICT:

Long Neck Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

33 Single Family Lots

#### SYSTEM CONNECTION CHARGES:

\$148,830.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
7/20/15

Department Of Natural Resources Plan Approval  
4/1/14

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90  
Construction Admin And Construction Inspection Cost – \$13,458.08  
Proposed Construction Cost – \$89,720.50





## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

March 02, 2016

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
VINCENT OVERLOOK - PHASE 5  
AGREEMENT NO. 843 - 6

#### DEVELOPER:

Mr. Louis J. Capano, III  
Vincent Overlook, LLC  
105 Foulk Road  
Wilmington, DE 19803

#### LOCATION:

Intersection of CR 88 & CR 261

#### SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

24 Single Family Lots

#### SYSTEM CONNECTION CHARGES:

\$138,600.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
10/18/2005

Department Of Natural Resources Plan Approval  
11/30/05

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 60

Construction Admin And Construction Inspection Cost – \$7,621.13

Proposed Construction Cost – \$50,807.50



BRAD D. WHALEY  
DIRECTOR OF COMMUNITY  
DEVELOPMENT & HOUSING  
(302) 855-7777 T  
(302) 854-5397 F  
bwhaley@sussexcountycle.gov



**Sussex County**  
DELAWARE  
sussexcountycle.gov

## MEMORANDUM

TO: Sussex County Council  
The Honorable Michael H. Vincent, President  
The Honorable Samuel R. Wilson, Vice President  
The Honorable George B. Cole  
The Honorable Joan R. Deaver  
The Honorable Robert B. Arlett  
Todd Lawson, County Administrator

FROM: Brad D. Whaley

RE: **2016 CDBG Application**

DATE: March 15, 2016

During Tuesday's Council meeting, I will be requesting Council's permission to apply for a small USDA Housing Preservation Grant (HPG). We have applied for and used this funding for over 20 years to assist low and very low-income homeowners with small home repairs.

The amount of the Grant request will be \$35,000.00, and we hope to assist six (8) households in rural Sussex County.



RESOLUTION NO. \_\_\_\_\_

ENDORISING PROJECT TO BE SUBMITTED TO THE RURAL HOUSING SERVICES FOR FUNDING AND AUTHORIZING TODD LAWSON, COUNTY ADMINISTRATOR, TO SUBMIT PRE-APPLICATION

**WHEREAS**, the Sussex County Council, resolves to apply for a Housing Preservation Grant from the Rural Housing Services, authorized by Section 533 of Housing Act of 1949, as amended by Section 522 and

**WHEREAS**, Sussex County has met the pre-application requirements of Housing Preservation Grants; and Sussex County is eligible to submit application for such grants through the Rural Housing Services, as stated in Policies and Procedures Instruction Manual (HPG) Part 1944, Subpart N.

**NOW, THEREFORE, BE IT RESOLVED** that the Sussex County Council endorses the Preapplication to Rural Development for HPG funds, in the total amount of \$35,000, to be administered as follows:

	<u>Sussex</u>
Housing Rehabilitation Grants	\$30,000
Administration	\$ 5,000

; and

**BE IT FURTHER RESOLVED** by the Sussex County Council that Todd F. Lawson, County Administrator, is authorized to submit the above mentioned project to the Rural Housing Services for funding.

I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF RESOLUTION NO. \_\_\_\_\_ ADOPTED BY THE COUNCIL OF SUSSEX COUNTY ON THE 15TH DAY OF MARCH, 2016.

\_\_\_\_\_  
ROBIN A. GRIFFITH  
CLERK OF THE COUNCIL



March 10, 2016

Mr. Joe Wright  
Sussex County Engineering Department  
#2 The Circle  
P.O. Box 589  
Georgetown, DE 19947

Re: Goslee Creek Regional Pump Station, Force Main and Gravity Sewers: Sussex County Contract 15-09

Dear Mr. Wright:

We have reviewed the bid documents received by the Sussex County Council on March 3, 2016 for the above referenced project. PACT One LLC. (PACT One) of Ringoes, NJ is the apparent low bidder at \$4,164,825.00 for the project's base bid. Enclosed is a tabulation of bids, as well as a summary of the bid review performed.

Based on our review of the bid submission, in our professional opinion, the PACT One Inc. bid represents the lowest responsive responsible bid under the terms of the invitation to bid.

Please do not hesitate to contact us if you should have questions.

Very truly yours,

Whitman, Requardt & Associates, LLP

Will F. Hinz, P.E.  
Vice President

Enclosures

cc: Hans Medlarz  
Brad Hawkes  
Dennis Hasson  
File 14256-003

**Goslee Creek Regional Pump Station, Force Main and Gravity Sewers**  
**Contract No. 15-09**  
**Bid Results**

<b>BID SCHEDULE</b>	<b>Engineer's Estimate</b>	<b>Pact One, LLC Ringoos, NJ</b>	<b>George &amp; Lynch Dover, DE</b>	<b>Bearing Construction Sudlersville, MD</b>	<b>A-DEL Construction Newark, DE</b>	<b>JJID, Inc. Bear, DE</b>	<b>Kuhn Construction Hockessin, DE</b>
<b>PART A SUBTOTAL</b>	\$2,180,350.00	\$1,855,875.00	\$1,561,684.00	\$1,999,691.00	\$1,733,945.00	\$1,978,450.00	\$2,028,654.00
<b>PART B SUBTOTAL</b>	\$1,900,000.00	\$2,120,000.00	\$2,471,000.00	\$2,645,824.00	\$2,660,000.00	\$2,775,000.00	\$2,100,000.00
<b>PART C SUBTOTAL</b>	\$92,950.00	\$92,950.00	\$92,950.00	\$92,950.00	\$92,950.00	\$92,950.00	\$92,950.00
<b>PART D SUBTOTAL</b>	\$167,200.00	\$96,000.00	\$117,000.00	\$286,800.00	\$217,600.00	\$241,000.00	\$183,420.00
<b>Project Base Bid Total</b>	\$4,340,500.00	\$4,164,825.00	\$4,242,634.00	\$5,025,265.00	\$4,704,495.00	\$5,087,400.00	\$4,405,024.00
<b>PART E SUBTOTAL (ADD ALTERNATE/BID ITEMS)</b>	\$200,000.00	\$185,000.00	\$255,038.00	\$215,000.00	\$456,250.00	\$275,000.00	\$240,500.00

Part	Description	Size	Unit	Quantity	Engineer's Estimate		Pact One, LLC Ringo, NJ		George & Lynch Dover, DE		Bearing Construction Sudlersville, MD		A-DEL Construction Newark, DE		JJID, Inc. Bear, DE		Kuhn Construction Hockessin, DE		
					Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price	Item Total	Unit Price
<b>Part A</b>	<b>Goslee Creek Regional Pump Station, Force Main, and Gravity Sewers, Contract 15-09</b>																		
A-1	Mobilization		LS	1	\$410,000	\$410,000	\$150,000.00	\$150,000.00	\$210,000.00	\$210,000.00	\$3,300.00	\$3,300.00	\$235,000.00	\$235,000.00	\$230,000.00	\$230,000.00	\$230,000.00	\$230,000.00	
A-2	Furnish and Install Precast Manholes Complete and In Place	5'	VF	149	\$500	\$74,500	\$425.00	\$63,325.00	\$653.00	\$97,297.00	\$583.00	\$86,867.00	\$1,100.00	\$163,900.00	\$1,000.00	\$149,000.00	\$800.00	\$119,200.00	
A-3		6'	VF	22	\$600	\$13,200	\$600.00	\$13,200.00	\$912.00	\$20,064.00	\$1,423.00	\$31,306.00	\$1,500.00	\$33,000.00	\$1,500.00	\$33,000.00	\$1,484.00	\$32,648.00	
A-4	Furnish and Install Terminal Cleanouts	8"	EA	2	\$1,000	\$2,000	\$1,200.00	\$2,400.00	\$880.00	\$1,760.00	\$1,540.00	\$3,080.00	\$1,400.00	\$2,800.00	\$2,500.00	\$5,000.00	\$1,390.00	\$2,780.00	
A-5	Furnish and Install Frames and Covers	NA	EA	21	\$500	\$10,500	\$300.00	\$6,300.00	\$725.00	\$15,225.00	\$968.00	\$20,328.00	\$785.00	\$16,485.00	\$500.00	\$10,500.00	\$438.00	\$9,198.00	
A-6	Furnish and Install PVC Lateral	6"	LF	250	\$35	\$8,750	\$60.00	\$15,000.00	\$100.00	\$25,000.00	\$41.80	\$10,450.00	\$80.00	\$20,000.00	\$80.00	\$20,000.00	\$110.00	\$27,500.00	
A-7	Furnish and Install PVC Lateral Cleanouts	6"	EA	9	\$500	\$4,500	\$300.00	\$2,700.00	\$707.00	\$6,363.00	\$746.00	\$6,714.00	\$880.00	\$7,920.00	\$1,500.00	\$13,500.00	\$682.00	\$6,138.00	
A-8	Furnish and Install PVC Wye Branches	21"x6"	EA	9	\$800	\$7,200	\$1,600.00	\$14,400.00	\$1,992.00	\$17,928.00	\$2,176.00	\$19,584.00	\$1,775.00	\$15,975.00	\$1,750.00	\$15,750.00	\$1,875.00	\$16,875.00	
A-9	Furnish and Install Gravity Sewer	8"	lf	50	\$100	\$5,000	\$120.00	\$6,000.00	\$45.00	\$2,250.00	\$165.00	\$8,250.00	\$165.00	\$8,250.00	\$100.00	\$5,000.00	\$145.00	\$7,250.00	
A-10	Furnish and Install Gravity Sewer	10"	LF	60	\$120	\$7,200	\$125.00	\$7,500.00	\$152.00	\$9,120.00	\$223.00	\$13,380.00	\$300.00	\$18,000.00	\$120.00	\$7,200.00	\$158.00	\$9,480.00	
A-11	Furnish and Install Gravity Sewer	21"	LF	5,500	\$180	\$990,000	\$150.00	\$825,000.00	\$111.00	\$610,500.00	\$193.00	\$1,061,500.00	\$116.00	\$638,000.00	\$150.00	\$825,000.00	\$175.00	\$962,500.00	
A-12	Furnish and Install Gravity Sewer	24"	LF	210	\$200	\$42,000	\$155.00	\$32,550.00	\$177.00	\$37,170.00	\$214.00	\$44,940.00	\$144.00	\$30,240.00	\$150.00	\$31,500.00	\$182.00	\$38,220.00	
A-13	Furnish and Install PVC Force Main	16"	LF	4,400	\$100	\$440,000	\$130.00	\$572,000.00	\$84.00	\$369,600.00	\$110.00	\$484,000.00	\$85.00	\$374,000.00	\$110.00	\$484,000.00	\$98.00	\$431,200.00	
A-14	Furnish and Install Combination ARV and Manhole	NA	EA	1	\$10,000	\$10,000	\$8,000.00	\$8,000.00	\$10,042.00	\$10,042.00	\$11,232.00	\$11,232.00	\$15,000.00	\$15,000.00	\$20,000.00	\$20,000.00	\$10,725.00	\$10,725.00	
A-15	Furnish and Install Type C Hot Mix Overlay	1 3/4"	SY	9,500	\$15	\$142,500	\$13.00	\$123,500.00	\$11.90	\$113,050.00	\$18.00	\$171,000.00	\$14.25	\$135,375.00	\$12.00	\$114,000.00	\$10.55	\$100,225.00	
A-16	Record Drawings	NA	LS	1	\$5,000	\$5,000	\$2,000.00	\$2,000.00	\$6,090.00	\$6,090.00	\$7,920.00	\$7,920.00	\$8,500.00	\$8,500.00	\$5,000.00	\$5,000.00	\$11,000.00	\$11,000.00	
A-17	Isolation Valve	16"	EA	1	\$8,000	\$8,000	\$12,000.00	\$12,000.00	\$10,225.00	\$10,225.00	\$15,840.00	\$15,840.00	\$11,500.00	\$11,500.00	\$10,000.00	\$10,000.00	\$13,715.00	\$13,715.00	
	<b>PART A SUBTOTAL</b>				<b>\$2,180,350.00</b>	<b>\$1,855,875.00</b>	<b>\$1,561,684.00</b>	<b>\$1,999,691.00</b>	<b>\$1,733,945.00</b>	<b>\$1,978,450.00</b>	<b>\$2,028,654.00</b>								
B-1	Goslee Creek Regional PS		LS	1	\$1,900,000.00	\$1,900,000	\$2,120,000.00	\$2,120,000.00	\$2,471,000.00	\$2,471,000.00	\$2,645,824.00	\$2,645,824.00	\$2,660,000.00	\$2,660,000.00	\$2,775,000.00	\$2,775,000.00	\$2,100,000.00	\$2,100,000.00	
	<b>PART B SUBTOTAL</b>				<b>\$1,900,000.00</b>	<b>\$2,120,000.00</b>	<b>\$2,471,000.00</b>	<b>\$2,645,824.00</b>	<b>\$2,660,000.00</b>	<b>\$2,775,000.00</b>	<b>\$2,100,000.00</b>								
<b>Part C</b>	<b>Stipulated Contingent Bid Items</b>																		
C-1	Contingent Unclassified Excavation		CY	400	\$11.00	\$4,400	\$11.00	\$4,400.00	\$11.00	\$4,400.00	\$11.00	\$4,400.00	\$11.00	\$4,400.00	\$11.00	\$4,400.00	\$11.00	\$4,400.00	
C-2	Contingent Aggregate Material, Graded Aggregate Type "B" (Crusher Run)		Ton	200	\$27.00	\$5,400	\$27.00	\$5,400.00	\$27.00	\$5,400.00	\$27.00	\$5,400.00	\$27.00	\$5,400.00	\$27.00	\$5,400.00	\$27.00	\$5,400.00	
C-3	Contingent Porous Fill Material, Coarse Aggregate No. 57 Stone		Ton	500	\$30.00	\$15,000	\$30.00	\$15,000.00	\$30.00	\$15,000.00	\$30.00	\$15,000.00	\$30.00	\$15,000.00	\$30.00	\$15,000.00	\$30.00	\$15,000.00	
C-4	Contractor Down Time		Per Hour	30	\$300.00	\$9,000	\$300.00	\$9,000.00	\$300.00	\$9,000.00	\$300.00	\$9,000.00	\$300.00	\$9,000.00	\$300.00	\$9,000.00	\$300.00	\$9,000.00	
C-5	Furnish and Place 5,000 psi Concrete		CY	100	\$150.00	\$15,000	\$150.00	\$15,000.00	\$150.00	\$15,000.00	\$150.00	\$15,000.00	\$150.00	\$15,000.00	\$150.00	\$15,000.00	\$150.00	\$15,000.00	
C-6	Contingent Borrow Material, Borrow Tpe "C" (Backfill)		CY	2,000	\$16.00	\$32,000	\$16.00	\$32,000.00	\$16.00	\$32,000.00	\$16.00	\$32,000.00	\$16.00	\$32,000.00	\$16.00	\$32,000.00	\$16.00	\$32,000.00	
C-7	Replacement of Existing Storm Drain Pipes 18-inches and less		LF	30	\$30.00	\$900	\$30.00	\$900.00	\$30.00	\$900.00	\$30.00	\$900.00	\$30.00	\$900.00	\$30.00	\$900.00	\$30.00	\$900.00	
C-8	Contingent Hotmix		Ton	150	\$75.00	\$11,250	\$75.00	\$11,250.00	\$75.00	\$11,250.00	\$75.00	\$11,250.00	\$75.00	\$11,250.00	\$75.00	\$11,250.00	\$75.00	\$11,250.00	
	<b>PART C SUBTOTAL</b>				<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	<b>\$92,950.00</b>	
<b>Part D</b>	<b>Unstipulated Contingent Bid Items</b>																		
D-1	Contingent Relocation of Gravity Sewer or Force Main from Grass Shoulder into Travel Lane		LF	2,000	\$50	\$100,000	\$30.00	\$60,000.00	\$25.00	\$50,000.00	\$118.00	\$236,000.00	\$85.00	\$170,000.00	\$110.00	\$220,000.00	\$68.50	\$137,000.00	
D-2	Replacement of Existing Storm Drain Pipes (Greater than 18" in diameter)		LF	40	\$80	\$3,200	\$100.00	\$4,000.00	\$75.00	\$3,000.00	\$550.00	\$22,000.00	\$150.00	\$6,000.00	\$125.00	\$5,000.00	\$40.50	\$1,620.00	
D-3	Compost Amended Soils		SY	3,200	\$20	\$64,000	\$10.00	\$32,000.00	\$20.00	\$64,000.00	\$9.00	\$28,800.00	\$13.00	\$41,600.00	\$5.00	\$16,000.00	\$14.00	\$44,800.00	
	<b>PART D SUBTOTAL</b>				<b>\$167,200.00</b>	<b>\$96,000.00</b>	<b>\$117,000.00</b>	<b>\$286,800.00</b>	<b>\$217,600.00</b>	<b>\$241,000.00</b>	<b>\$183,420.00</b>								
	<b>TOTAL Base BID</b>				<b>\$4,340,500.00</b>	<b>\$4,164,825.00</b>	<b>\$4,242,634.00</b>	<b>\$5,025,265.00</b>	<b>\$4,704,495.00</b>	<b>\$5,087,400.00</b>	<b>\$4,405,024.00</b>								
<b>Part E</b>	<b>Add/Alternate Bid Items</b>																		
E-1	Furnish and Installation of 3rd Pump and Associated Equipment		LS	1	\$150,000	\$150,000	\$125,000.00	\$125,000.00	\$190,718.00	\$190,718.00	\$165,000.00	\$165,000.00	\$390,000.00	\$390,000.00	\$200,000.00	\$200,000.00	\$188,000.00	\$188,000.00	
E-2	Furnish and Installation of Odor Control System		LS	1	\$50,000	\$50,000	\$60,000.00	\$60,000.00	\$64,320.00	\$64,320.00	\$50,000.00	\$50,000.00	\$66,250.00	\$66,250.00	\$75,000.00	\$75,000.00	\$52,500.00	\$52,500.00	
	<b>PART E SUBTOTAL</b>				<b>\$200,000.00</b>	<b>\$185,000.00</b>	<b>\$255,038.00</b>	<b>\$215,000.00</b>	<b>\$456,250.00</b>	<b>\$275,000.00</b>	<b>\$240,500.00</b>								
	<b>TOTAL Alternate BID</b>				<b>\$4,540,500.00</b>	<b>\$4,349,825.00</b>	<b>\$4,497,672.00</b>	<b>\$5,240,265.00</b>	<b>\$5,160,745.00</b>	<b>\$5,362,400.00</b>	<b>\$4,645,524.00</b>								
	<b>% of bid for mobilization</b>						<b>3.6%</b>	<b>4.9%</b>	<b>0.1%</b>	<b>5.0%</b>	<b>4.5%</b>								

**Goslee Creek Regional Pump Station, Force Main and Gravity Sewers**  
**Contract No. 15-09 Bid Review**

Contractor	Addenda Acknowledged	Delaware License Listed	Bid Form Math Errors	List of Sub-Contractors	List of Major Products or Equipment	DBE's Utilized	Certification for Equal Opportunity Employment	Non-Collusion Statement	Bid Bond (10%)
Pact One	Yes	(1)	No	Yes	Yes (2.)	N/A	Yes	Yes	Yes
George & Lynch	Yes	Yes	No (3.)	Yes	Yes	N/A	Yes	Yes	Yes

## Notes:

- (1.) Pact One has submitted information on their temporary business license (#2016601919) as received on 3/10/2016.
- (2.) Clarification of major products or equipment to be supplied was received on 3/7/2016.
- (3.) Adjustment made in summary sheet due to typo on original bid form.

**NORTH COASTAL PLANNING AREA**

**SUSSEX COUNTY, DELAWARE**

**CONTRACT AMENDMENT NO. 3A**

This contract amendment, **Contract Amendment No. 3A** dated \_\_\_\_\_, **2016** amends our original contract dated January 14, 2014 between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and Whitman, Requardt and Associates, LLP, a State of Maryland Limited Liability Partnership, hereinafter referred to as CONSULTANT, whose address is 801 South Caroline Street, Baltimore, Maryland 21231 (Original Contract). Except as specifically amended herein, the provisions of the Original Contract dated January 14, 2014, as thereafter amended, remain in effect and fully valid.

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

**ARTICLE FOUR**

**FEE STRUCTURE**

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 6** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated January 14, 2014.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Goslee Creek Regional Pump Station, Forcemain and Gravity Sewers Construction Administration and Resident Project Representation** as set forth in **Attachment 3A**, which is attached hereto and incorporated by reference, shall not exceed **Three Hundred and Sixty Four Thousand, and Seventy One Dollars (\$364,071.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

**ARTICLE FOURTEEN**

**INCORPORATED DOCUMENTS**

- 14.1.2 **Attachment 3A: Consultant's Scope of Services, Goslee Creek Regional Pump Station, Forcemain and Gravity Sewers Construction Administration and Resident Project Representation** with Man-hour Spreadsheets. (**Contract Amendment No.3A**).



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

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

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. **3A** to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:  
SUSSEX COUNTY

\_\_\_\_\_  
President, Sussex County Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Assistant Sussex County Attorney

ATTEST:

\_\_\_\_\_  
Clerk of the Sussex County Council

FOR THE CONSULTANT:

WHITMAN, REQUARDT and ASSOCIATES, LLP

\_\_\_\_\_  
Dennis J. Hasson, P.E., Partner

WITNESS:

\_\_\_\_\_



## SCOPE OF SERVICES

### GOSLEE CREEK REGIONAL PUMP STATION, FORCEMAIN AND GRAVITY SEWERS

#### CONSTRUCTION ADMINISTRATION AND RESIDENT PROJECT REPRESENTATION

This attachment outlines the required Scope of Services for **Goslee Creek Regional Pump Station, Forcemain and Gravity Sewers Construction Administration and Resident Project Representation**. In addition, there were design related items beyond the original scope for the project which were ultimately needed for the completion of the project. This work effort will generally include services during the Construction and Post-Construction Phases of the Project for Contract Administration, Submittal Reviews, Observation of the Work, and Resident Project Representation. The Derivation of Man-hours and Estimated Fee for these tasks are provided in the summary spreadsheets included with this document. This proposal assumes one (1) contract will be administered and inspected over the project's ten (10) month duration from May 2016 through February 2017, with one additional month allowed for close-out.

#### PART A - CONSTRUCTION ADMINISTRATION

- 1. General Construction Administration.** WRA will consult with Sussex County and act as the County's representative during the duration of all construction projects. This effort involves the day to day coordination of in-house and field personnel during the construction phase.
- 2. Preconstruction and Monthly Progress Meetings.** WRA will prepare meeting agendas, conduct monthly progress meetings and issue meeting minutes. It is assumed that there will be one progress meeting day per month, which will be attended by the construction manager and resident project representative.
- 3. Specialized Site Visits by Specialized Inspectors.** During the construction phase, WRA will make visits to the site by specialized inspectors (geotechnical, mechanical, etc.) when requested by Sussex County. Such visits and observations by WRA are not intended to be exhaustive or to extend to every aspect of the Work in Progress, but rather are to be limited to spot-checking, start-up services, selective sampling, and similar methods of general observation of the Work. Based on information obtained during such visits and such observations, WRA will determine in general if the Contractor's Work is proceeding in accordance with the Contract Documents, and WRA shall keep the County informed of the progress of the Work.
- 4. Requests for Information (Clarifications).** When requested by Sussex County, respond to Requests for Information (RFIs) relating to the contract documents. This proposal assumes a total of ten (10) RFIs total will be required.
- 5. Change Orders and Work Change Directives.** Upon the request of Sussex County, WRA will review the Contractor's change order requests. WRA will document its findings in a memorandum to Sussex County. It is assumed that no more than Four (4) change order requests in total (including the final balancing change order submitted by the Contractor for each contract).

6. ***Shop Drawings and Samples.*** WRA will review and approve or take other appropriate action with respect to Shop Drawings, Samples, and other data which the Contractor is required to submit for conformance with the information given in the Contract Documents and compatibility with the design concept of the completed project as a functioning whole as indicated in the Contract Documents. Such reviews and approvals or other action will not extend to means, methods, techniques, sequences, or procedures of construction or to safety precautions or programs incidental thereto. This proposal assumes approximately 85 shop drawings to be reviewed, with approximately 25% of all submittals by the Contractor requiring a review of the resubmittal.
7. ***Applications for Payment.*** Based on WRA's observations and on a review of the Contractor's Monthly Applications for Payment and accompanying supporting documentation, determine the amounts that WRA recommends the Contractor be paid by Sussex County. Such observations and review, mean that, to the best of WRA's knowledge, information and belief, the Contractor's work has progressed to the point indicated, the quality of such work is generally in accordance with the Contract Documents, subject to an evaluation of the Work as a functioning whole prior to or upon Substantial Completion, and the conditions precedent to the Contractor being entitled to such payment appear to have been fulfilled insofar as it is WRA's responsibility to observe the Contractor's Work. In the case of unit price work, WRA's recommendations of payment will include final determinations of quantities and classifications of Contractor's Work (subject to any subsequent adjustments allowed by the Contract Documents).
8. ***Contractor's Completion Documents.*** At the completion of the Construction Phase, WRA will transfer all recorded changes from the Contractor's Record Drawings and produce a set of reproducible record drawings in an AutoCAD Version 2012 format and provide two hard copies of all record drawings. WRA will review and approve the Operation and Maintenance Manuals for the pump station.
9. ***Substantial Completion.*** At the request of the County, WRA will assist the County in conducting an inspection for each contract to determine if the Work is Substantially Complete.
10. ***Final Notice of Acceptability of the Work.*** At the request of the County, WRA will assist the County in conducting a final inspection for each contract to determine if the completed Work of the Contractor is acceptable for release of final payment to the Contractor including preparation and documentation.
11. ***Post-Construction Phase.*** Within one month before the end of the Warranty Period, assist the County in conducting a final walk-through inspection to ascertain whether any portion of the Work is subject to correction. WRA will document this work in a letter to the County and Contractor.

## **PART B - RESIDENT PROJECT REPRESENTATION**

WRA shall furnish one project inspector who will observe the work done by the Contractor and promptly inform the County of deviations from the Contract Documents. The project inspector will serve as WRA's representative in the field, providing information on the daily progress of the job to WRA technical personnel. It is assumed that the project inspector will work a nine hour workday, five

days a week, with an additional forty (40) hours of overtime allocated for the contract's duration, with one month allotted for project closeout.

## **PART C – DESIGN COMPLETION SERVICES**

The following are items that were beyond the original design scope that were required to be incorporated for the completion of the project.

1. ***Project Permitting Fees:*** The original proposal assumed permit fees would be paid directly by the County. For this project, permit fees were were paid for by WR&A and then submitted for reimbursement by the County.
2. ***Building Design.*** The original building design assumed a pre-cast concrete building to house electrical and equipment. Ultimately, the design required the construction of a specific masonry building with the required additional mechanical (HVAC), structural, and architectural efforts during design.
3. ***Tower Design:*** A communications tower and communications system was added as project scope item as required for future expansion of the service area. This required instrumentation, structural, and electrical design and coordination.
4. ***A Minor Subdivision Plan was required for the pump station.***
5. ***Fall Protection Design:*** The County has started implementing fall protection into the design of the pump stations. This additional scope item required structural review and design efforts not included in the original scope document.
6. ***Developer Coordination.*** There are multiple developments that are proposed to connect into the regional Goslee system. WR&A provided the County assistance in coordinating, evaluating and recommending various options for the proposed developments to be integrated into the County system.

## ENGINEERING DEPARTMENT

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



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.  
ASSISTANT COUNTY ENGINEER

## SUMMERCREST COMMUNITY SUBDIVISION COMPLETION SUSSEX COUNTY PROJECT NO. 12-30 PROJECT SUMMARY

The Engineering Department opened bids for Project No. 12-30, Summercrest Community Subdivision Completion on March 8, 2016. There were a total of 3 bids received and a copy of the bid tabulations are attached.

The scope of this project involves using funds from the redeemed letter of credit (\$312,500) to complete unfinished work throughout the subdivision. This work includes installing new sidewalk, repairing damaged concrete curb, sidewalks and catch basins, and installing the final coat of hotmix.

A Pre-bid meeting was held on February 26, 2016 in the County Council Chambers.

The lowest responsive bidder is Jerry's Paving of Milford, Delaware with a total bid of **\$255,672.00**.

The contract term is 75 consecutive calendar days.

Engineer's Estimate for the project was \$244,500.00.

The Engineering Department recommends awarding the bid to Jerry's Paving of Milford, 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  
sussexcountype.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

## SUMMERCREST COMMUNITY SUBDIVISION COMPLETION BID OPENING, 3:00 p.m., TUESDAY, MARCH 8, 2016

BIDDER	TOTAL BID
Jerry's Paving *	\$255,672.00
George & Lynch	\$276,646.70
Common Sense Solutions	\$427,101.56

\* Apparent Low Bidder

Engineer's Estimate \$244,500.00



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

## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
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PUBLIC WORKS	(302) 855-7703
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FAX	(302) 855-7799



# Sussex County

DELAWARE  
sussexcountyde.gov

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

JOHN J. ASHMAN  
DIRECTOR OF UTILITY PLANNING

March 15, 2016

## FACT SHEET

### LONG NECK SANITARY SEWER DISTRICT Z&Z REAL PROPERTIES LLC ANNEXATION

#### DEVELOPER:

Z&Z Real Properties, LLC  
Neng Zhang  
24794 Shoreline Drive  
Millsboro, DE 19966

#### LOCATION:

26152 School Lane  
Millsboro, DE 19966

#### SANITARY SEWER DISTRICT:

Long Neck Sanitary Sewer District

#### TYPE AND SIZE OF DEVELOPMENT:

One (1) Single family lot (Existing home totally renovated)

#### SYSTEM CONNECTION CHARGES:

\$4,510.00

#### PROJECT DESCRIPTION:

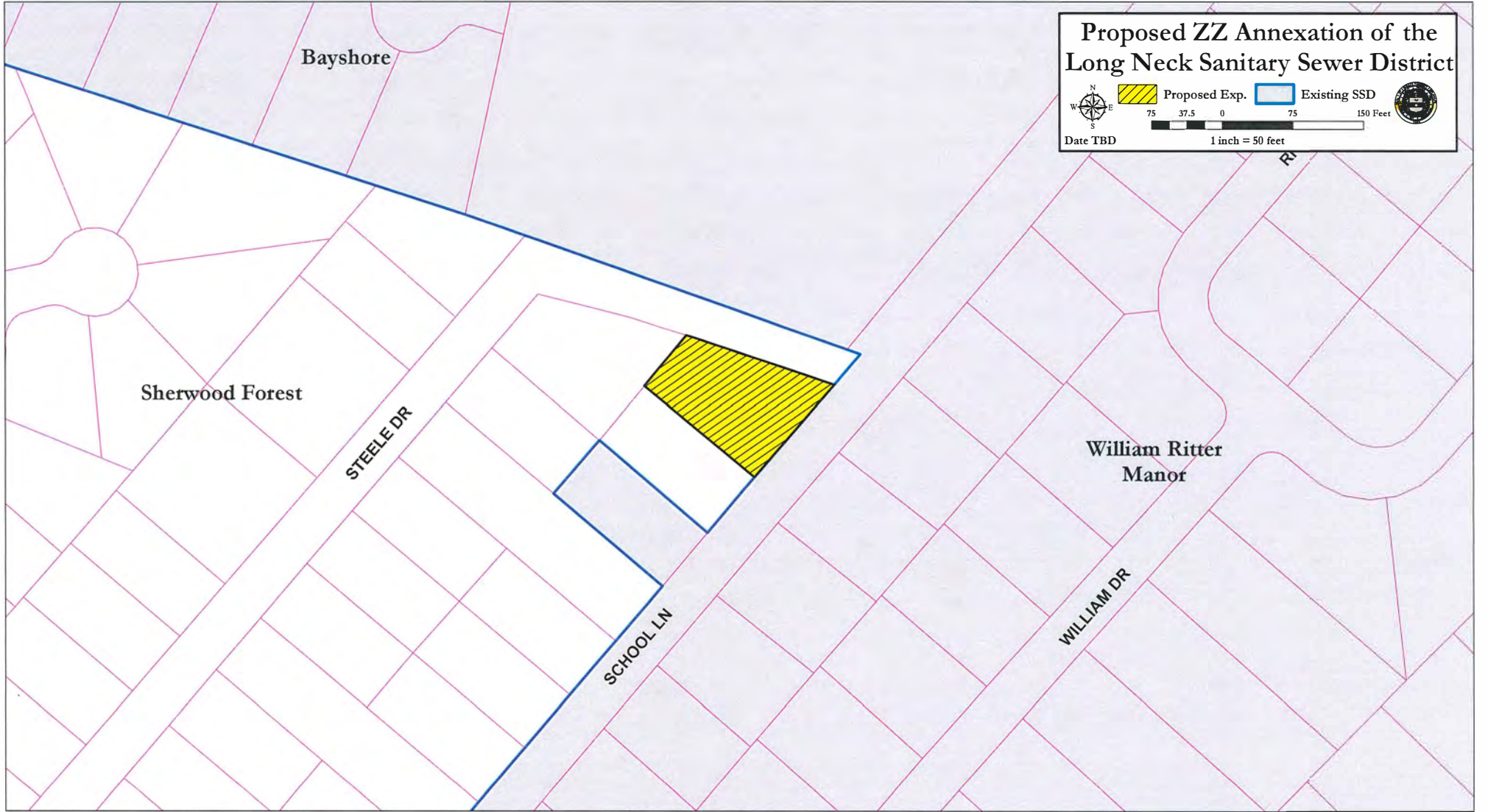
This project proposes connection of an existing totally renovated house to the existing 8" sewer located in School lane.

The developer will be responsible for payment of all applicable fees to include system connection charge, annual service and front footage assessments per EDU based on Rates established for July 1, 2015 through June 30, 2016. In addition they will be responsible for making the connection to the existing 8" main and extension of the lateral to the building. The proposed connection will be inspected by Sussex County Staff.





Adjacent property owner has also been contacted to gauge their interest in being annexed to the district and as of yet no response been received.







# Proposed ZZ Annexation of the Long Neck Sanitary Sewer District

  Proposed Exp.  Existing SSD 

75 37.5 0 75 150 Feet

Date TBD 1 inch = 50 feet



**PROPOSED MOTION**

BE IT MOVED BY THE SUSSEX COUNTY COUNCIL THAT THE SUSSEX COUNTY ENGINEERING DEPARTMENT IS AUTHORIZED TO PREPARE AND POST NOTICES FOR THE EXPANSION OF THE LONG NECK SANITARY SEWER DISTRICT BOUNDARY TO INCLUDE PARCEL 234-23.00-234.00 OWNED BY ZZ REAL PROPERTIES, LLC, AS PRESENTED ON MARCH 15, 2016.

AREF ETEMADI  
FILE: LNSSD 7.25  
MARCH 15, 2016



February 23, 2016

Mr. John Ashman, Director  
Sussex County Administration Office Building  
Utility Planning  
2 The Circle, 3<sup>rd</sup> Floor  
Georgetown, DE 19947

Millsboro, DE



**Marcus Dukes**  
Office Manager

RE: 26152 School Lane, Millsboro, DE 19966

Tax ID/Parcel # 234-23.00-234.00

JB Builders, LLC  
30853 Short Cove Ct  
Millsboro, DE 19966  
302-228-6715

Cell: (302) 228-6715  
Office: (302) 260-9244  
Fax: (302) 260-9612

[marcus@elasacontractors.com](mailto:marcus@elasacontractors.com)  
[www.facebook.com/JBBuildersLLC](http://www.facebook.com/JBBuildersLLC)

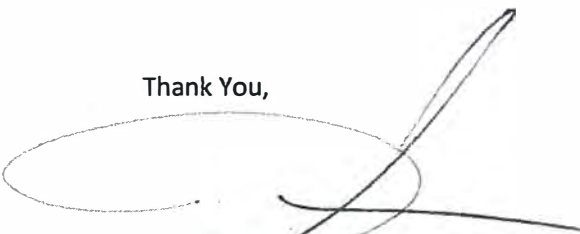
Sussex County Council:

This letter is intended to request permission to connect into the existing county sewer that is available on School Lane. We were contracted by Z and Z Real Properties, LLC and began renovating this home at the end of last year. As one of the final steps to completing this home we would like to be annexed into the Long Neck sanitation district.

If anything further is needed from me please contact me at the above address and/or phone number.

Please note a check of \$500 is included with this letter for the annexation fee.

Thank You,

  
Marcus Dukes  
Office Manager



# MILFORD SENIOR HIGH SCHOOL

1019 N. Walnut Street - Milford, DE 19963

February 2016

To Whom It May Concern,

We would like to introduce ourselves as the parent volunteers for the Milford High School After Prom Committee. We are writing to ask if your business would be able to sponsor the 2016 After Prom event for the Milford High School.

The after prom was started more than twenty years ago in order to provide Milford High School students and their guests a safe, alcohol free, parent chaperoned event. The parents of the Junior Class are responsible for organizing this event and providing incentives for students to attend. This event is free to all students and their guests.

We are asking your organization/business if you would be interested in helping support this cause either financially and/or with items that can be used as door prizes. All donated money is budgeted to cover the cost of the facility, decorations, food, police chaperone and tons of door prizes. Examples of the door prizes we would like to provide include flat screen TVs, dorm refrigerators, laptop computers, iPods, iPads, Beats, Kindles, Nooks, as well as, gift cards from area businesses.

All donations are tax deductible. The Federal Tax ID for Milford High School is 51-6002793. We greatly appreciate your consideration and your support of our youth. All checks should be made payable to **MHS After Prom Committee**. All donations should be mailed to:

Ms. Nicki Melvin  
17178 Brittany Place  
Milford, DE 19963

Should you have any questions or need to speak to someone regarding our event and possible donation, please contact any of the following committee members.

Thank you in advance for your support!

Sincerely,  
Milford High School After Prom Committee

Cathy Rogers  
302-242-2012

Dawn Kimmel  
302-236-4257

Megan Hajek  
302-222-2221

302-422-1610

MILFORD



"BUCCANEERS"



# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

PROJECT NAME: Milford High School After Prom

FEDERAL TAX ID: 51-6002793 NON-PROFIT:  YES  NO

ADDRESS: 1019 N Walnut Street

Milford DE 19963  
(CITY) (STATE) (ZIP)

PHONE: 302-422-1610 EMAIL: \_\_\_\_\_

CONTACT PERSON: Cathy B. Rogers

TITLE: Committee Chairperson - Donations

ADDRESS: 17178 Brittany Place

Milford DE 19963  
(CITY) (STATE) (ZIP)

PHONE: 302-242-2012 EMAIL: cathybrogers@yahoo.com

**TOTAL FUNDING REQUEST:** \$ 500.00

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

YES  NO

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

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? 13

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Fair Housing                | <input type="checkbox"/> Health and Human Services | <input type="checkbox"/> Cultural               |
| <input type="checkbox"/> Infrastructure <sup>1</sup> | <input type="checkbox"/> Other _____               | <input checked="" type="checkbox"/> Educational |

### BENEFICIARY CATEGORY

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Disability & Special Needs | <input type="checkbox"/> Victims of Domestic Violence        | <input type="checkbox"/> Homeless         |
| <input type="checkbox"/> Elderly Persons            | <input type="checkbox"/> Low to Moderate Income <sup>2</sup> | <input checked="" type="checkbox"/> Youth |
|   | <input type="checkbox"/> Other _____                         |   |

### BENEFICIARY NUMBER

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

250/300

## SECTION 3: PROGRAM SCOPE

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.

We would like to introduce ourselves as the parent volunteers for the Milford High School After Prom Committee. We are writing to ask if your business would be able to sponsor the 2016 After Prom event for the Milford High School.

The after prom was started more than twenty years ago in order to provide Milford High School students and their guests a safe, alcohol free, parent chaperoned event. The parents of the Junior Class are responsible for organizing this event and providing incentives for students to attend. This event is free to all students and their guests.

We are asking your organization/business if you would be interested in helping support this cause either financially and/or with items that can be used as door prizes. All donated money is budgeted to cover the cost of the facility, decorations, food, police chaperone and tons of door prizes. Examples of the door prizes we would like to provide include flat screen TVs, dorm refrigerators, laptop computers, iPods, iPads, Beats, Kindles, Nooks, as well as, gift cards from area businesses. Students must be present to win so we strategically award the door prizes to keep them there for the whole event. The event will run from 11:30 pm to 2:30 am on April 30 at the Milford High School. The past attendance has been between 250 and 300 students. This year's theme is "A Night at the Boardwalk". The committee will be decorating as a beach theme with a ton of activities from a Photo Booth, bounce houses, obstacle courses, corn hole and showing movies thru out the night. The Class of 2017 at Milford High School prides themselves on always giving 100% and helping their fellow class mates at MHS.

Thank you for any donation you could make toward this program to help our students attend a safe place for after prom.



### 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>	\$ 4,550.00
<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. (put amounts in as a negative)	
Entertainment/Prizes	-6500.00
Security Fee	-200.00
Decorations	-2000.00
Food	-700.00
Custodian Fee	-150.00
Postage/Thank you Ad/Start up Money	-2450.00
*These are projections based on what donations we receive and adjust according. Based on prior years.	
<b>TOTAL EXPENDITURES</b>	-\$ 12,000.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	(\$ 7,450.00)

### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the MHS After Prom Committee 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.

MHS After Prom Committee / Cathy B. Rogers

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

3/8/17

\_\_\_\_\_  
DATE



# MILFORD MUSEUM

City of Milford Commission of Museums and Landmarks  
121 South Walnut Street, Milford, Delaware 19963

(302) 424-1080 ▪ [www.milfordDEmuseum.org](http://www.milfordDEmuseum.org) ▪ [Info@milfordDEmuseum.org](mailto:Info@milfordDEmuseum.org)

Charles Hammond  
Chairman

David Kenton  
Vice-Chair

Don Abrutyn  
Treasurer

Claudia Leister  
Executive Director

Commissioners  
William Brereton  
Russell French  
Harry Humes  
Al Lauckner  
Joan Loftland  
Yvonne Lynch  
Marvin Schelhouse  
Robert Voshell  
Mike Wheedleton

February 4, 2016

Honorable Samuel R. Wilson, Jr.  
Sussex County Councilman  
Administrative Office Bldg.  
P.O. Box 589  
Georgetown, DE 19947

Dear Sam,

The Commissioners of the Milford Museum would like to request that the Sussex County Council consider making a donation of \$2,000 towards our 2016 Fund Raising Campaign. The monies raised from this Campaign will go towards the salary of our Executive Director, and will enable us to continue her employment.

Museum visitation has increased and the public has provided us with positive feedback on our changing exhibits. It is only through the efforts of our Executive Director that we are able to continue this progress. We are happy to share Milford's history with our visitors and raise the visibility of the Museum in our community. Again, we want to thank you for your continued support of the Milford Museum.

Very Sincerely,

Charles Hammond  
President - Board of Commissioners



# SUSSEX COUNTY GOVERNMENT

## DISTRICT 5 - COUNCIL GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

PROJECT NAME: Storage and Improvements

FEDERAL TAX ID: 52-0317062 NON-PROFIT:  YES  NO

ADDRESS: 203 Main Street  
P. O. Box 1043  
Millsboro DE 19966  
(CITY) (STATE) (ZIP)

PHONE: 302-934-6440 EMAIL: millsboroartleague@gmail.com

CONTACT PERSON: Debra Doucette

TITLE: President

ADDRESS: 29005 Stockley Road  
Milton DE 19968  
(CITY) (STATE) (ZIP)

PHONE: 302-228-9798 EMAIL: millsboroartleague@gmail.com

TOTAL FUNDING REQUEST: 3,000.00

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

YES  NO

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

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? 100%



## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

- Health and Human Services  
 Other Arts and Art Educator

- Cultural  
 Educational

### BENEFICIARY CATEGORY

- Disability & Special Needs  
 Elderly Persons

- Victims of Domestic Violence  
 Low to Moderate Income<sup>2</sup>  
 Other SCI Therapeutic Art Program

- Homeless  
 Youth

### BENEFICIARY NUMBER

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

500

## SECTION 3: PROGRAM SCOPE

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

The Millsboro Art League (MAL) has been growing and developing more classes with emphasis on community outreach. The response has so far exceeded our expectations. The Board of Director's has decided it is time to make some upgrades in our facility. During the month of March we will be cleaning and painting the inside of the building with the second phase taking place in April, working with the Millsboro Garden Club (MGC) to improve the look on the outside. We have a great need for creating more storage to accomodate supplies for upcoming classes and workshops, also adding a beverage station. We are asking if Council could provide funding for this. We estimate the cost of these improvements to be \$3,000 with the labor being vollunteers from both MAL and MGC (we are also inviting the entire community)

MAL currently provides programs for the Salvation Army Creative Arts program (for mentally and physically challenged adults) and hosts a show and reception for the Sussex County County Correctional Instutes therapeutic art program annually. Monthly children's art program, summer art camp, children and adult pottery programs, family fun nights, members shows and receptions, paint groups and varried media art classes for adults. We are supportive of the arts in all forms.

### 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
<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/ACQUISTION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (put amounts in as a negative)	
	-3,000.00
<b>TOTAL EXPENDITURES</b>	0
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	-3,000.00

### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Millsboro Art 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.

SIGNATURE: \_\_\_\_\_  
(Applicant/Authorized Official Signature)

DATE: 3/8/2016



February 23, 2016

Sussex County Council  
PO Box 589  
Georgetown, DE 19947

Dear Councilman Vincent & Councilman Arlett,


It is that time of year again, already! The 22<sup>nd</sup> Annual Nanticoke Riverfest will soon be upon us. Plans for this year's event are well underway, and the Riverfest Committee is looking forward to celebrating another year. We hope you are, too!

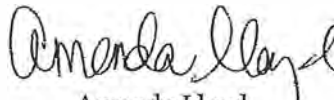
This year we will be "Boot Scootin' on the Nanticoke" on July 8<sup>th</sup> and 9<sup>th</sup>. Every year we are reaching a new milestone, and we strive to make each year's Riverfest the best one yet! We are so grateful to have the amazing support of our local businesses, like you, that make this event possible. It is only through partnerships with businesses such as yours, that we have been able to provide such high-quality entertainment at no charge to our patrons for the last 22 years. In return for your continued kindness and support, the Nanticoke Riverfest would like to offer high-profile advertisements to your business on a variety of levels. The potential benefits include having your company name or logo displayed in many different advertising venues, including signage at the event, a listing on our website [www.nanticokeriverfest.com](http://www.nanticokeriverfest.com), and recognition in the Riverfest booklet, which is distributed both through the local newspaper and at the event.

Please take a minute to look through the attached flyer containing sponsorship levels. There are several benefits in each level that your business can receive for a monetary or in-kind donation. Donations of all sizes are accepted and appreciated, so we hope you will consider us when planning your gifts and donations for the year. For the second year, we are excited to offer your organization the exclusive opportunity to be the Platinum Level main stage sponsor, and it would be known to all as the "**Your Business Name MAIN STAGE**". This stage, which is supplied by our audio production team, provides a much nicer venue for our artists and is much safer than the trailers we have used in previous years. In return for your continued kindness, with this level of sponsorship you would continue to receive all of the benefits in the Diamond Level, plus receive exclusive rights to decorating the stage, a permanent vendor space for your use in the Mt. Olivet Church lot for the entire two day event, ability to hand out giveaways to the audience, and the opportunity to introduce the headliner bands; also making any announcements with regard to your organization in between acts. Our Platinum Level may go fast, so consider it today!

If you have any questions, please do not hesitate to contact us at Seaford's City Hall, at 302-629-9173. Thank you so much for your continued support!

Sincerely,  
Nanticoke Riverfest Co-Chairs

  
Trisha Newcomer

  
Amanda Lloyd

**Please Make Checks Payable to:**

City of Seaford  
PO Box 1100  
Seaford, DE 19973

Greater Laurel Chamber of Commerce



Leadership since 1917

March 1, 2016

Sussex County Council  
Council President Mike Vincent  
2 The Circle PO Box 589  
Georgetown, DE. 19947

Dear Mike:

I am writing this letter on behalf of the Greater Laurel Chamber of Commerce. The Chamber is requesting a donation in the amount of Five Hundred Dollars (\$500.00).

These funds would be used for expenses of our annual Broad Creek Bike & Brew to be held June 4, 2016 in Laurel, DE. Last year we drew participants from Pennsylvania, Virginia, New Jersey, Washington DC., Maryland and of course all over Delaware. These riders learned about Sussex County and spent their hard earned dollars in our beautiful County.

Last year was our fourth year and we had around 400 riders. This for a fourth year was a real good number. All the riders were pleased with the route they rode and said they would return to ride again. They also said they expect us to increase the riders this year.

We hope that you see that this event is worthwhile the funds we are requesting in bringing visitors and business into Sussex County. Thank you for your consideration and time.

Respectively Submitted,

Don Dykes  
Executive Director

Located at: 215 Mechanic St., P. O. Box 696, Laurel DE 19956

Phone (302) 875-9319, Fax (302) 875-5908

Visit us on the web @ [laurelchamber.com](http://laurelchamber.com)

E-mail us at [info@laurelchamber.com](mailto:info@laurelchamber.com)





Greater Seaford Chamber of Commerce  
Post Office Box 26  
Seaford, Delaware, 19973  
phone: 302.629.9690 fax: 302.629.0281  
email: admin@seafordchamber.com

**Officers**

PRESIDENT  
RON HARMAN  
VICE PRESIDENT  
JOHN TARBURTON, ESQ  
2<sup>nd</sup> VICE PRESIDENT  
CARLYLE WINDLEY  
SECY-TREASURER  
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**Past President**

TOM BROWN

**Staff**

EXECUTIVE DIRECTOR  
LYNN BROCATO

Sussex County Council  
Attn: The Honorable Michael Vincent  
2 The Circle P.O. Box 589  
Georgetown, DE 19947

Dear President Michael Vincent,

The Greater Seaford Chamber of Commerce is assisting the Woodland Ferry Association with its 2016 Woodland Ferry Festival to be held Saturday, September 10<sup>th</sup>. This year marks the 21<sup>th</sup> festival. The Association plans to continue its tradition of offering a unique event showcasing the Woodland Ferry and historic village of Woodland by offering free pedestrian rides on the Ferry "Tina Fallon", a wide variety of vendors, entertainment for all ages, a Country Breakfast, tours of the Days Gone by Museum and tours of the Nanticoke Heritage Byway.

We are requesting a grant of \$750.00 from the Sussex County Council to help defray our expenses to rent golf carts to transport handicapped and/or those with disabilities to and from the festival area. Your help and support would be most appreciated.

Sincerely,

*Lynn Brocato*

Lynn Brocato  
Executive Director  
Greater Seaford Chamber of Commerce



Nanticoke Chapter  
P.O. Box 357  
Seaford, DE 19973

February 29, 2016

The Honorable Michael H. Vincent  
President  
Sussex County Council  
P.O. Box 429  
Georgetown, DE 19947

Dear President Vincent (Mike):

On behalf of Ducks Unlimited, Nanticoke Chapter, I would like to request a grant in the amount of \$1000 to Ducks Unlimited.

The donation will be used for Ducks Unlimited's Conservation of Wetlands efforts here in Sussex County to be used for conservation in the Nanticoke River Watershed.

**DU's Conservation Focus**

1. Restore and protect ecological functions of coastal watersheds.
2. Work toward long-term protection of already restored areas.
3. Concentrate conservation activities within targeted watersheds to restore buffers, via restoration, to provide clean water. wetland
4. Provide technical assistance and landowner education.
5. Identify and prioritize key research and evaluation needs.
6. Establish outreach programs on the importance of wetland values.

Thanks again for your support.

Sincerely,

Mark S. Hardesty  
Nanticoke Chapter  
Ducks Unlimited

PUBLIC HEARINGS

March 15, 2016

This is to certify that the Sussex County Planning and Zoning Commission conducted public hearings on the below listed applications for Conditional Use. At the conclusion of the public hearings, the Commission moved and passed that the applications be forwarded to the Sussex County Council with the recommendations as stated.

Respectfully submitted:

COUNTY PLANNING AND ZONING  
COMMISSION OF SUSSEX COUNTY

Lawrence B. Lank

Director of Planning and Zoning

The attached comments relating to the public hearings are findings of the Planning and Zoning Commission based upon a summary of comments read into the record, and comments stated by interested parties during the public hearings.

**C/U #2036 – JIMI KELLOGG**

An Ordinance to grant a Conditional Use of land in a GR (General Residential District) for parking of employee vehicles and vans for a cleaning service business to be located on a certain parcel of land lying and being in Lewes and Rehoboth Hundred, Sussex County, containing 22,323 square feet, more or less. The property is located northeast of Field Lane, a subdivision street, 200 feet southeast of Munchy Branch Road (Road 270-A). (911 Address: 36181 Field Lane, Rehoboth Beach). Tax Map I.D. 334-13.00-873.00.

The Commission found that the applicant provided a survey of the lot depicting the improvements as they exist on the property and a sketch of the driveways on the property.

The Commission found that DelDOT provided comments on July 30, 2015 in the form of a Support Facilities Report referencing that a Traffic Impact Study was not required, and that the current Level of Service “B” of Munchy Branch Road will not change as a result of this application.

The Commission found that the Sussex Conservation District provided comments on December 9, 2015 in the form of a memorandum referencing that the site contains two soil types; that the applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are

affected; that no off-site drainage improvements will be required; and that it is not likely that any on-site drainage improvements will be required.

The Commission found that the Sussex County Engineering Department Utility Planning Division provided comments on December 9, 2015 in the form of a memorandum referencing that the site is located in the West Rehoboth Expansion Area; that wastewater capacity is available if the proposed use does not exceed approximately 1.0 Equivalent Dwelling Unit (EDU) of sewer assessment; that the planning study and design assumption for the parcel is 1.0 EDU based on a residential use on a residentially zoned parcel of less than 1.0 acre; that if the proposed use is expected to exceed 1.0 EDU, additional information should be provided and a capacity review completed prior to approval; that Ordinance 38 construction is not required; that the current System Connection Charge Rate is \$5,775.00 per EDU; that the parcel was provided with a 6-inch sanitary sewer lateral located along the parcel's frontage on Field Lane and the existing home is connected to the sewer system; that conformity to the West Rehoboth Expansion Area Planning Study will be required; and that a concept plan is not required.

Mr. Lank advised the Commission that two letters have been received to date in opposition to this application referencing that the properties in the area are residentially zoned; that the applicant should seek another location where commercial uses are permitted; that spot zoning causes future applications for other business/commercial uses; that the use has existed for approximately four (4) years; that the business has continued to grow causing more vehicles to and from the site; that traffic occurs all day long in and out of the property; that there are at least 5 company vehicles and employee vehicles on the site; that at any time there could be 10 or more vehicles coming and going; that the paved portion of the property seems to grow and the front yard has very little space that is unpaved; that parking has recently been added that could accommodate at least another 10 vehicles; that the applicants are receiving large commercial truck deliveries of cleaning supplies at this location on neighborhood streets; and that depreciation of property values is a concern.

The Commission found that Jimi Kellogg was present on behalf of his application and stated in his presentation and in response to questions raised by the Commission that he and his wife own a cleaning business; that they care about their neighborhood; that they cannot afford to lease a store front for their small business; that they have 12 full time employees; that they have extended their driveway; that they have three work vans and two family vehicles; that three employees drive to their property and pick up the work vans to pick up other employees off-site; that they have tried to improve their home and driveways; that they live on the premises; that across the road from their property, within 200 feet, is a store front with three business uses; that they have tried not to be a nuisance; that the other employees park their personal vehicles at the K-Mart and Food Lion parking lots; that normal business hours are from 8:00 a.m. to 4:00 or 5:00 p.m.; that they were receiving deliveries twice a month when they have the contract for maintenance of the Social Security offices, which are no longer their clients; that currently there are no regular deliveries; that their normal work days are Monday through Friday, with an occasional Saturday and Sunday during the summer months; and that he is not aware of any deed restrictions against commercial activities.



The Commission found that Jennifer Kellogg was present in support and stated that they can track their employees whereabouts since the work vehicles have GPS units; that occasionally employees park at the Lowes and Giant parking lots; that the employees that park their vehicles on the site are the employees that drive company vehicles to job sites; that UPS and FedEx trucks do deliver packages to the site; that she lives on the site and is always driving in and out of the site; and that they expanded the driveways to accommodate traffic to and from the property.

The Commission found that there were no parties present in support of, other than the applicant and his wife, or in opposition to the application.

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

On December 10, 2015 there was a motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration, and asking staff to check for restrictive covenants. Motion carried 5 – 0.

On January 14, 2016 the Commission discussed this application under Old Business.

Mr. Johnson stated that he would move that the Commission recommend denial of Conditional Use No. 2036 for Jimi Kellogg for parking of employee vehicles and vans for a cleaning service business based upon the record made during the public hearing, and for the following reasons:

- 1) It appears that this business started small at the Applicant's residence. But, the record indicates that the business has successfully grown, and it has outgrown this particular location.
- 2) There were parties that appeared in opposition to this application. All of them agreed that the business has outgrown the location and is not compatible with the neighborhood.
- 3) This location is located on a lot in a residential neighborhood. The property is surrounded by homes on several sides. This commercial use, including the parking, traffic and trucking activities, is not compatible with the residential surroundings.
- 4) There is evidence in the record that this use now adversely affects neighboring properties, the community and adjacent roadways due to the traffic generated by the use, the number of employees coming to and from the location, and other factors.
- 5) There are other more appropriate locations for this type of use in Sussex County that are either zoned for the use or that are not surrounded by existing residential properties.
- 6) For all these reasons, the successful growth of this small business means that it no longer fits in with its local residential surroundings and another more appropriate location should be found to allow it to continue its growth.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 4 – 0.

**C/U #2037 – Gilbert J. Bernoski, Jr.**

**An Ordinance to grant a Conditional Use of land in a GR (General Residential District) for an auto repair shop to be located on a certain parcel of land lying and being in Indian River Hundred, Sussex County, containing 1.101 acres, more or less.** The property is located northeast of Mount Joy Road (Road 297) 0.4 mile east of Gravel Hill Road (Route 30) (911 Address: 26371 Mount Joy Road, Millsboro) Tax Map I.D. 234-21.00-50.00.

The Commission found that the applicant provided a survey/site plan of the property depicting the improvements and driveways on the property with his application filed on August 25, 2015.

The Commission found that DelDOT provided comments on July 30, 2015 in the form of a Support Facilities Report referencing that a Traffic Impact Study was not recommended and that the current Level of Service of Mount Joy Road will not change as a result of this application.

The Commission found that the Sussex Conservation District provided comments on December 9, 2015 in the form of a memorandum referencing that the site contains one soil type; that the applicant will be required to follow recommended erosion and sediment control practices during construction and to maintain vegetation; that no storm flood hazard areas or tax ditches are affected; that no off-site drainage improvements will be required; and that it is not likely that any on-site drainage improvements will be required.

The Commission found that the Sussex County Engineering Department Utility Planning Division provided comments on December 9, 2015 in the form of a memorandum referencing that the site is located in the North Coastal Planning Area; that the project is not capable of being annexed into a County operated Sanitary Sewer District at this time; that conformity to the North Coastal Planning Study will be required; that the proposed site is not in an area where the County has a schedule to provide sewer service at this time; and that a concept plan is not required.

The Commission found that Gilbert Bernoski, Jr. was present on behalf of his application and stated in this presentation and in response to questions raised by the Commission that he is the property owner; that his father-in-law lives in the dwelling; that he leases the pole building to a gentleman to repair vehicles; that originally there were two gentlemen working on the premises; that no signage is proposed; that the tenant is also a truck driver and works during the evening and on weekends doing auto repairs; that it is a part time business; that some work is performed indoors and some outdoors; that adequate ventilation exists within the building; that he does not know how his tenant disposes of the fluids after the repair work is performed; that the repair work will not go past 10:00 p.m.; that there are currently 3 or 4 vehicles outside waiting for repair; and that the maximum number of vehicles to be stored outside will be six.

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

The Commission found that Rudolph Daisey, Jr. and Janet Daisey were present in opposition to the application and expressed concerns that the use is not consistent with the residential character of the area; that accountability is a concern; that the presentation by the applicant has been very vague; that in May of 2014 there were more vehicles on the site than there are now; questioning the whereabouts of a bathroom facilities; questioning if the tenant has a business license; that

the area is predominantly residential in character; that traffic is an issue; that the business could operate 24 hours 7 days per week if approved; that over time there have been 200 to 300 vehicles in and out of the site; and that the travel trailer to the rear of the pole building may be occupied.

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

On December 10, 2015 there was a motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to defer action for further consideration. Motion carried 5 – 0.

On January 14, 2016 the Commission discussed this application under Old Business.

Mr. Johnson stated that he would move that the Commission recommend denial of Conditional Use No. 2037 for Gilbert J. Bernoski, Jr. for a conditional use to operate an auto repair shop based upon the record made during the public hearing and for the following reasons:

- 1) I do not feel that the Applicant made a sufficient record in support of the conditional use. The information presented was very vague. Also, the operator of the business was not present to offer any details about the nature of the business or its impact on the community.
- 2) There was testimony in the record that this is a residential area and that the use as an automobile repair facility is not compatible with neighboring properties or the area in general.
- 3) There was evidence in the record that this site has been used by more than one automobile repair businessman and that there has been a fairly high volume of vehicles that have been coming to and from the site or have been located on the site in the past. Based upon the lack of information in the record about the proposed conditional use, it is difficult to approve this application with sufficient conditions to protect the neighboring properties and to address these concerns in the future.
- 4) There is evidence in the record that the owner of the property nor the operator of the business does not reside on the premises. As a result, there is no basis for the use of this location other than its availability. It is not the type of application where it is primarily a home based business where an applicant earns a little bit of extra money from his home.
- 5) There are more appropriate locations for this business in Sussex County that are either zoned for this use or that are not located in a primarily residential area.
- 6) For all these reasons, it is my motion that the Sussex County Planning and Zoning Commission recommend denial of this conditional use.

Motion by Mr. Johnson, seconded by Mr. Burton, and carried unanimously to forward this application to the Sussex County Council with the recommendation that the application be denied for the reasons stated. Motion carried 4 – 0.

**Introduced 10/20/15**

**Council District No. 4 - Cole  
Tax I.D. No. 334-13.00-873.00  
911 Address: 36181 Field Lane, Rehoboth Beach**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR PARKING OF EMPLOYEE VEHICLES AND VANS FOR A CLEANING SERVICE BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 22,323 SQUARE FEET, MORE OR LESS**

**WHEREAS, on the 5th day of August 2015, a conditional use application, denominated Conditional Use No. 2036 was filed on behalf of Jimi Kellogg; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2015, 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. 2036 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2015, 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.**

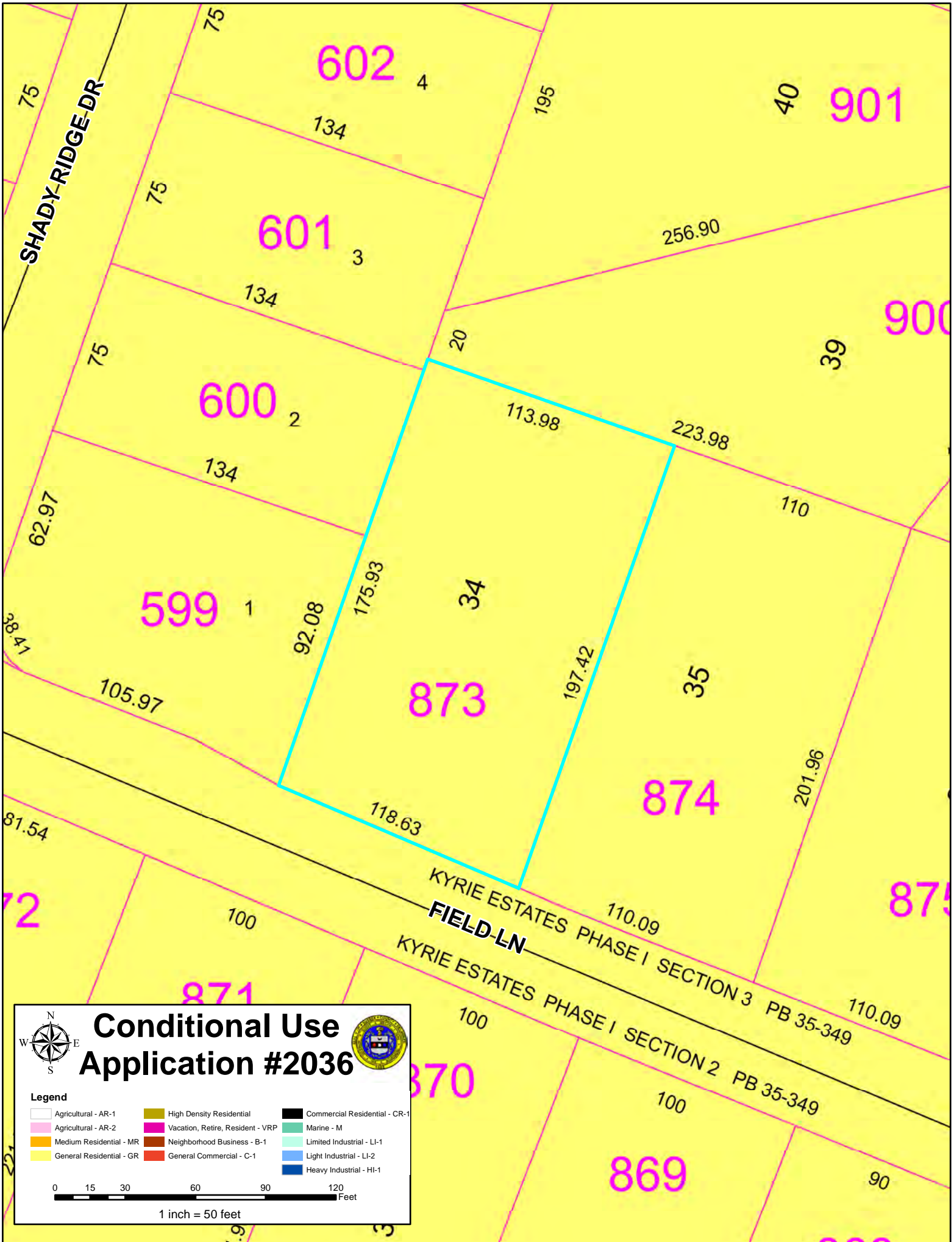
**NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:**

**Section 1. That Chapter 115, Article VI, Subsection 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2036 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 northeast of Field Lane, a subdivision street, 200 feet southeast of Munchy Branch Road (Road 270-A) and being more particularly described in Deed Book 4294, Page 300, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 22,323 square feet, 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.**

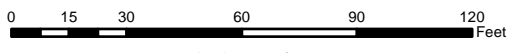


# Conditional Use Application #2036

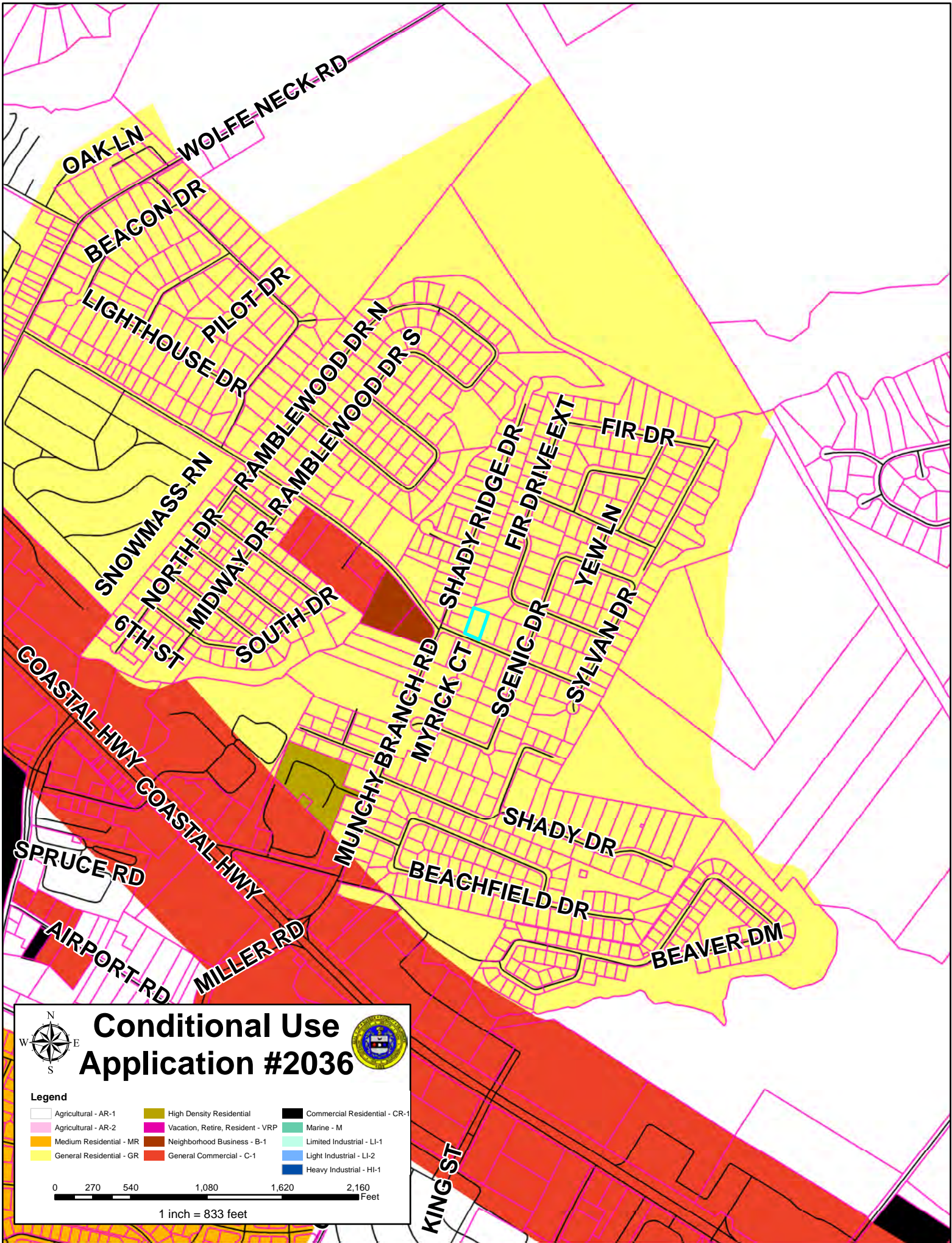


**Legend**


- Agricultural - AR-1
- Agricultural - AR-2
- Medium Residential - MR
- General Residential - GR
- High Density Residential
- Vacation, Retire, Resident - VRP
- Neighborhood Business - B-1
- General Commercial - C-1
- Commercial Residential - CR-1
- Marine - M
- Limited Industrial - LI-1
- Light Industrial - LI-2
- Heavy Industrial - HI-1







**Conditional Use Application #2036**



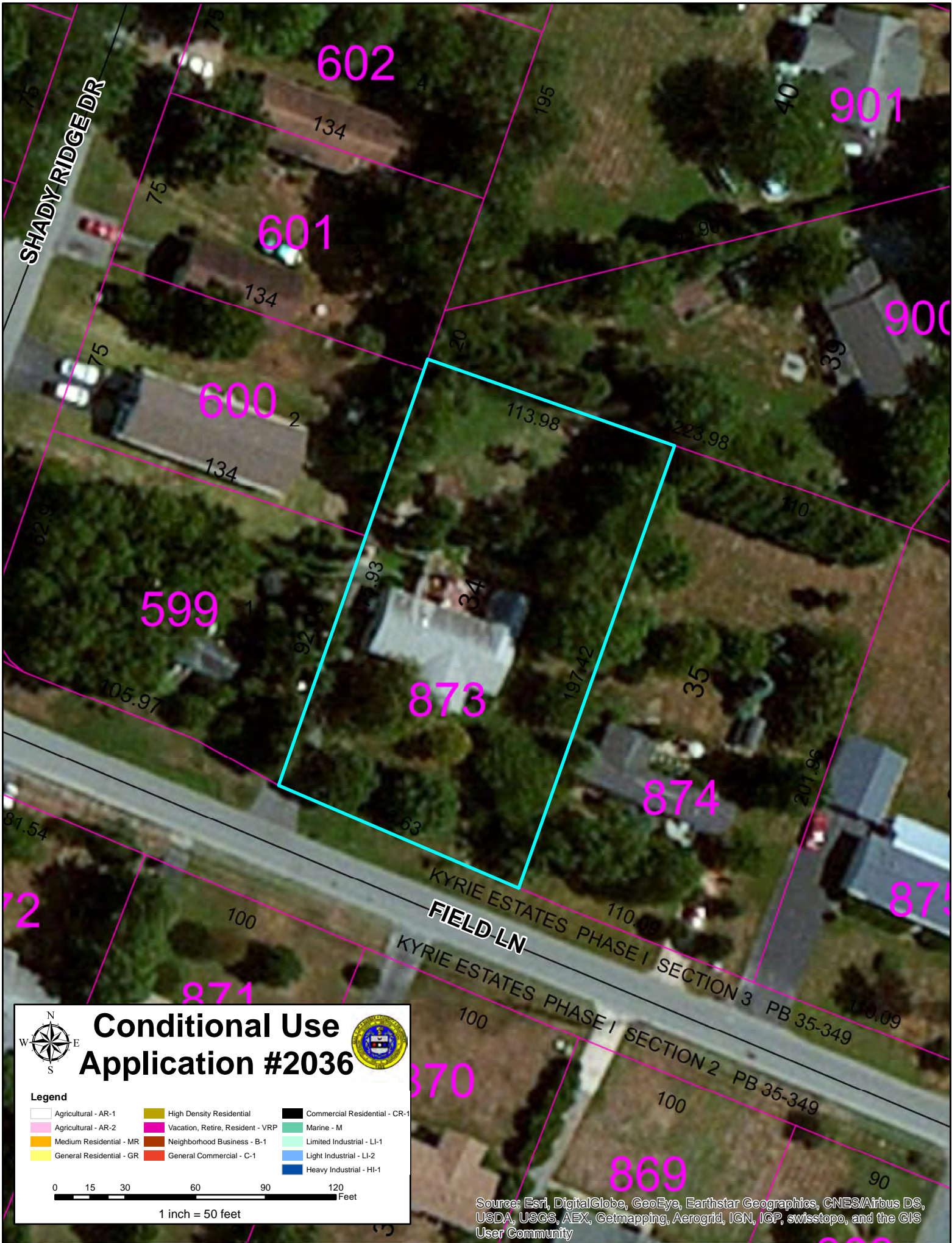
**Legend**

Agricultural - AR-1	High Density Residential	Commercial Residential - CR-1
Agricultural - AR-2	Vacation, Retire, Resident - VRP	Marine - M
Medium Residential - MR	Neighborhood Business - B-1	Limited Industrial - LI-1
General Residential - GR	General Commercial - C-1	Light Industrial - LI-2
		Heavy Industrial - HI-1


0 270 540 1,080 1,620 2,160 Feet

1 inch = 833 feet





**Conditional Use Application #2036**



**Legend**

Agricultural - AR-1	High Density Residential	Commercial Residential - CR-1
Agricultural - AR-2	Vacation, Retire, Resident - VRP	Marine - M
Medium Residential - MR	Neighborhood Business - B-1	Limited Industrial - LI-1
General Residential - GR	General Commercial - C-1	Light Industrial - LI-2
		Heavy Industrial - HI-1

0 15 30 60 90 120 Feet  
1 inch = 50 feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

**Introduced 10/20/15**

**Council District No. 3 - Deaver**

**Tax I.D. No. 234-21.00-50.00**

**911 Address: 26371 Mount Joy Road, Millsboro, DE 19966**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GR GENERAL RESIDENTIAL DISTRICT FOR AN AUTO REPAIR SHOP TO BE LOCATED ON CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.101 ACRES, MORE OR LESS**

**WHEREAS, on the 25th day of August 2015, a conditional use application, denominated Conditional Use No. 2037 was filed on behalf of Gilbert J. Bernoski, Jr.; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2015, 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. 2037 be \_\_\_\_\_; and**

**WHEREAS, on the \_\_\_\_ day of \_\_\_\_\_ 2015, 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. 2037 as it applies to the property hereinafter described.**

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

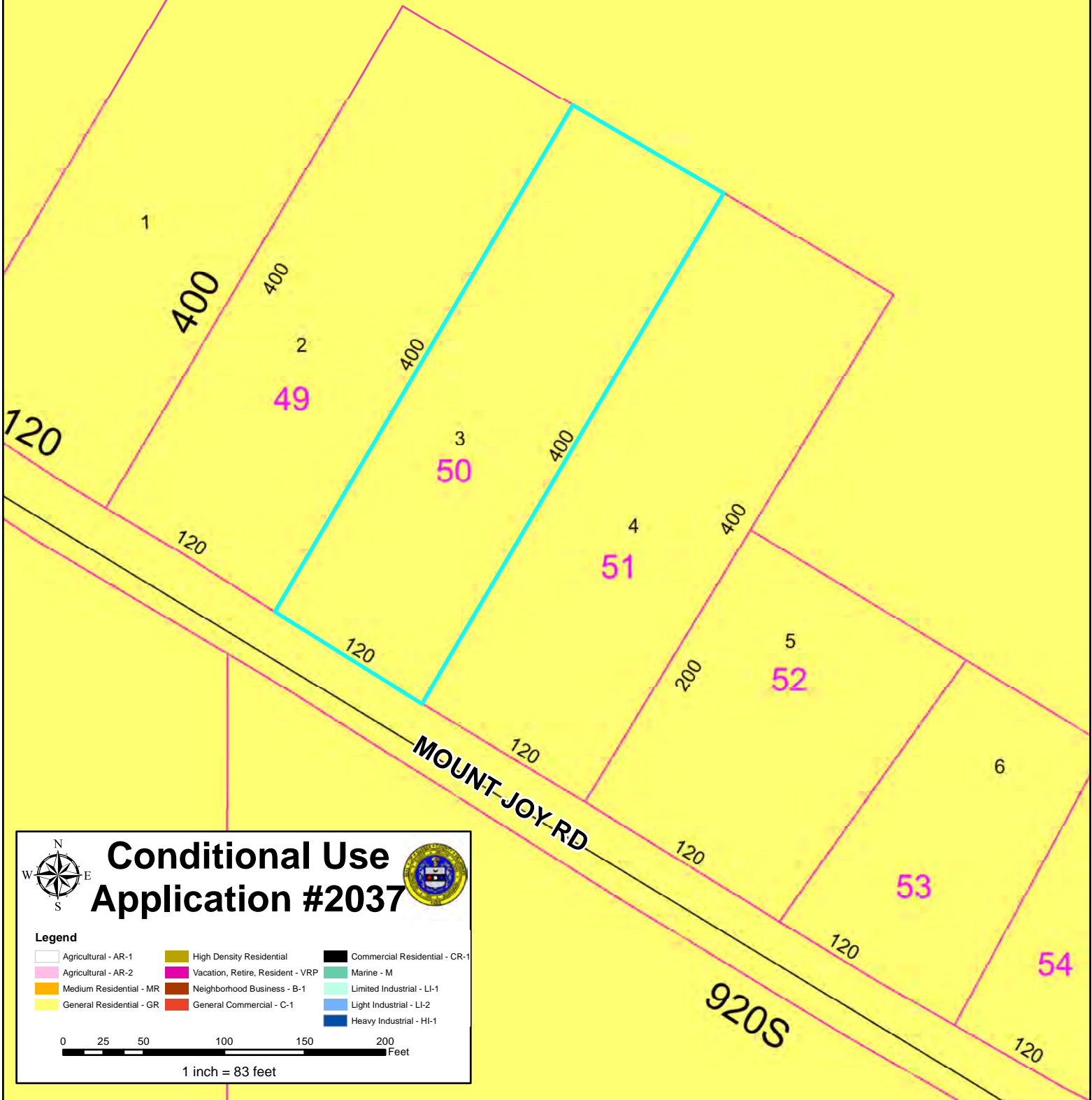
**ALL that certain tract, piece or parcel of land, lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying northeast of Mount Joy Road (Road 297) 0.4 mile east of Gravel Hill Road (Route 30) and being more particularly described in Deed Book 3578, Page 329, in the Office of the Recorder of Deeds in and for Sussex County, said parcel containing 1.101 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.**



48

10.10 AC.



1

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400

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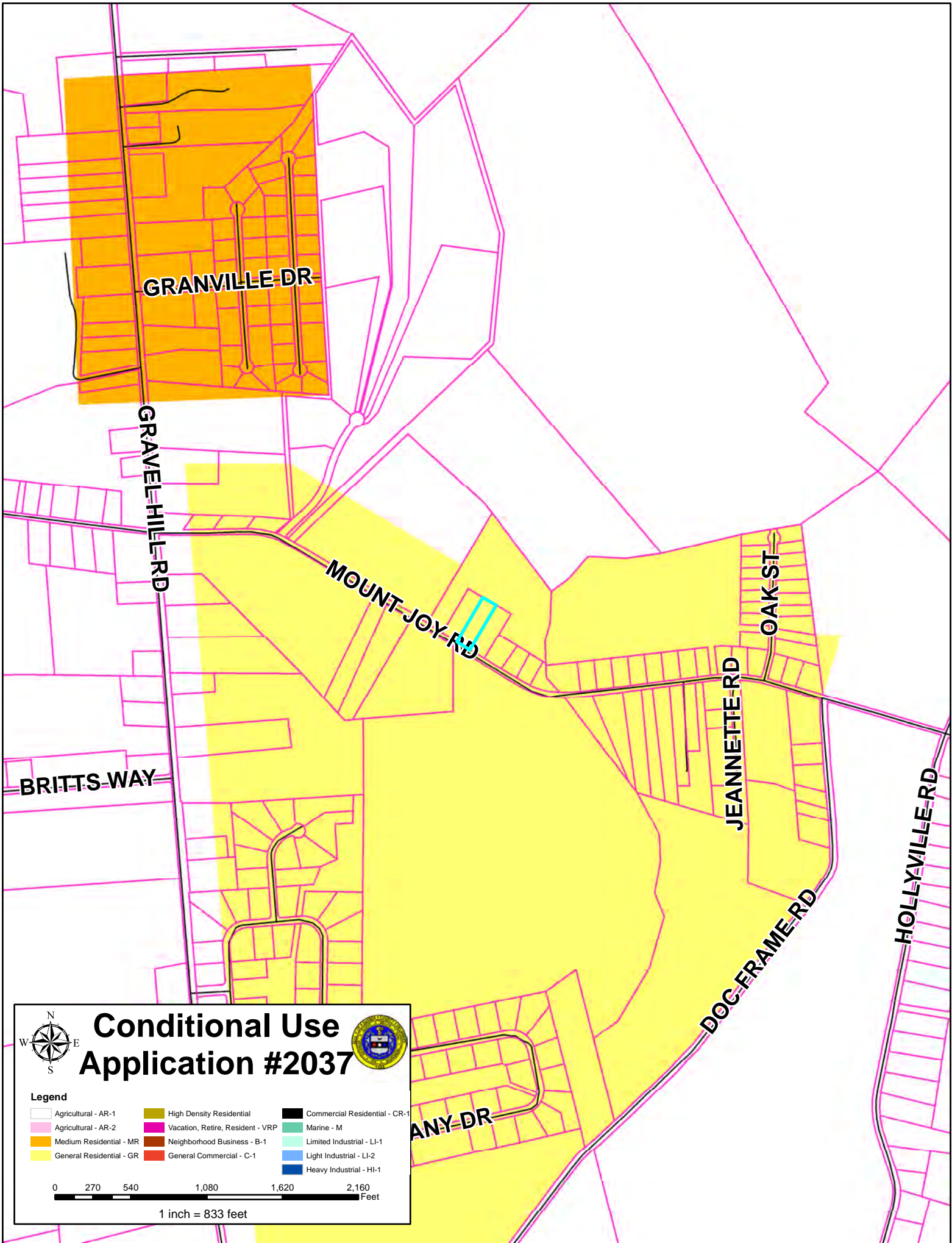
120

120


120

MOUNT-JOY-RD

920S



**Conditional Use Application #2037**



**Legend**

Agricultural - AR-1	High Density Residential	Commercial Residential - CR-1
Agricultural - AR-2	Vacation, Retire, Resident - VRP	Marine - M
Medium Residential - MR	Neighborhood Business - B-1	Limited Industrial - LI-1
General Residential - GR	General Commercial - C-1	Light Industrial - LI-2
		Heavy Industrial - HI-1

0 270 540 1,080 1,620 2,160 Feet

1 inch = 833 feet



48

10.10 AC.

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MOUNT JOY RD

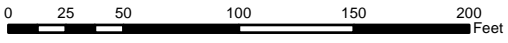
920S



# Conditional Use Application #2037



- Legend**
- |                          |                                  |                               |
|--------------------------|----------------------------------|-------------------------------|
| Agricultural - AR-1      | High Density Residential         | Commercial Residential - CR-1 |
| Agricultural - AR-2      | Vacation, Retire, Resident - VRP | Marine - M                    |
| Medium Residential - MR  | Neighborhood Business - B-1      | Limited Industrial - LI-1     |
| General Residential - GR | General Commercial - C-1         | Light Industrial - LI-2       |
|                          |                                  | Heavy Industrial - HI-1       |



1 inch = 83 feet

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community