



Sussex County Council Public/Media Packet

**MEETING:
July 18, 2023**

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

COUNTY COUNCIL

MICHAEL H. VINCENT, PRESIDENT
JOHN L. RIELEY, VICE PRESIDENT
CYNTHIA C. GREEN
DOUGLAS B. HUDSON
MARK G. SCHAEFFER



Sussex County

DELAWARE
sussexcountyde.gov
(302) 855-7743

SUSSEX COUNTY COUNCIL

A G E N D A

JULY 18, 2023

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes – July 11, 2023

Reading of Correspondence

Public Comments

Todd Lawson, County Administrator

1. Public Interview of Planning and Zoning Commission Nominee(s)
2. Update regarding County Council initiatives
3. Administrator's Report

Mark Parker, Assistant County Engineer

1. 2023 Ocean Outfall Repairs, Project G23-18
 - A. Recommendation to Award

John Ashman, Director of Utility Planning and Design Review

1. Permission to Prepare and Post Notices for Red Fox Run Annexation into the Sussex County Unified Sanitary Sewer District (West Rehoboth Area)



Hans Medlarz, County Engineer

1. **South Coastal WRF Treatment Process Upgrade No. 3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2**
 - A. **Electrical Construction, Project C19-17, Change Order No. 23**
 - B. **General Construction, Project C19-11, Change Order No. 29**
2. **Professional Environmental Services**
 - A. **RK&K – Construction Phase Services**
3. **Minor Capital Projects Approval**

Grant Requests

1. **Town of Laurel for their 4th of July fireworks display**
2. **The Society of St. Andrew, Inc. for their Delmarva Gleaning Network**
3. **La Esperanza Inc. for their Comprehensive Immigration Services program**
4. **Friends of Georgetown Public Library, Inc. for their annual 5K race**
5. **Lillette’s Foundation for the Arts, Inc. for their Music and Me program**

Introduction of Proposed Zoning Ordinances

Council Members’ Comments

Executive Session – Collective Bargaining, Land Acquisition & Pending/Potential Litigation pursuant to 29 Del.C.§10004(b)

Possible action on Executive Session items

1:30 p.m. Public Hearings

**Warrington Farm Annexation into the Sussex County Unified Sanitary Sewer District
(West Rehoboth Area)**

Conditional Use No. 2421 filed on behalf of Jonathan & Laura Brittingham

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EVENTS VENUE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 46.17 ACRES, MORE OR LESS” (properties lying on the south side of Phillips Hill Road [S.C.R. 472], approximately 0.63 mile west of Revel Road [S.C.R. 410]) (911 Address: 22518 Phillips Hill Road, Millsboro) (Tax Map Parcels: 133-19.00-21.00 & 22.00)

Conditional Use No. 2423 filed on behalf of Jennifer C. Attix

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL KITCHEN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.01 ACRES, MORE OR LESS” (property lying on the east side of Calhoun Road [S.C.R. 621], approximately 0.79 mile south of Shawnee Road [Route 36]) (911 Address: 7485 Calhoun Road, Milford) (Tax Map Parcel: 130-6.00-94.02)

Conditional Use No. 2437 filed on behalf of James R. Powell

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BOAT AND RV STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.95 ACRES, MORE OR LESS” (property lying on the north side of Burton Farm Road [S.C.R. 373] and the west side of Blackwater Road [S.C.R. 374] at the intersection of Burton Farm Road [S.C.R. 373] and Blackwater Road [S.C.R. 374]) (911 Address: 34309 Burton Farm Road, Frankford) (Tax Map Parcel: 134-15.00-19.02 [p/o])

Change of Zone No. 1982 filed on behalf of Peninsula Lakes, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN MR-RPC MEDIUM RESIDENTIAL–RESIDENTIAL PLANNED COMMUNITY DISTRICT TO AN MR-RPC MEDIUM RESIDENTIAL–RESIDENTIAL PLANNED COMMUNITY DISTRICT AND TO AMEND CONDITIONS OF APPROVAL OF CHANGE OF ZONE NO. 1474 (ORDINANCE NO. 1572) RELATING TO THE REQUIREMENT TO PROVIDE A PARK AND RIDE FACILITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.2 ACRES, MORE OR LESS” (property lying on the west side of Bay Farm Road [S.C.R. 299] and the east side of Starling Lane, approximately 0.56 mile southeast of John J. Williams Highway [Route 24]) (911 Address: N/A) (Tax Map Parcel: 234-29.00-248.04)

Change of Zone No. 1990 filed on behalf of Beach Partners, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.76 ACRES, MORE OR LESS” (properties lying on the southeast side of Learning Lane and the northwest side of Best Lane, at the intersection of Coastal Highway [Rt. 1] and Best Lane) (911 Address: 31169 & 31174 Learning Lane, Lewes) (Tax Map Parcels: 235-23.00-53.02 & 53.04)

Ordinance No. 23-10 Amenities Ordinance

“AN ORDINANCE TO AMEND CHAPTER 99, ARTICLE III, SECTION 99-21 “PUBLIC SITES AND OPEN SPACES” AND CHAPTER 115, ARTICLE XXV, “SUPPLEMENTAL REGULATIONS” OF THE CODE OF SUSSEX COUNTY REGARDING THE TIMING OF CONSTRUCTION FOR AMENITIES IN RESIDENTIAL DEVELOPMENTS”

Adjourn

-MEETING DETAILS-

In accordance with 29 Del.C. §10004(e)(2), this Agenda was posted on July 11, 2023 at 4:15 p.m. and at least seven (7) days in advance of the meeting.

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

Agenda items may be considered out of sequence.

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

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

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

To join the meeting via telephone, please dial:

Conference Number: 1-302-394-5036

Conference Code: 570176

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

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

#

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, JULY 11, 2023

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, July 11, 2023, at 10:00 a.m., in Council Chambers, with the following present:

Michael H. Vincent	President
Cynthia C. Green	Councilwoman
Douglas B. Hudson	Councilman
Mark G. Schaeffer	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore, Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 331 23
Approve
Agenda**

Mr. Lawson reported that under Todd Lawson, County Administrator, Public Interview of Planning and Zoning Commission Nominee(s) and under Grant Requests, No. 5 – West Rehoboth Community Land Trust for their Low-Income Housing program can be removed. A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, to approve the Agenda as amended.

Motion Adopted: 3 Yeas, 1 Nay, 1 Absent

**Vote by Roll Call: Mrs. Green, Nay; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**DSP
Recognition**

A Proclamation was presented to members of the Delaware State Police honoring them for their 100th Anniversary.

Minutes

The minutes from June 27, 2023, were approved by consensus.

**Corre-
spondence**

There was no correspondence.

Public comments were heard.

**Public
Comments**

Ms. Michelle Williams spoke on behalf of the Sussex Housing group in reference to affordable housing.

Public

Mr. Don Miller spoke about major and minor subdivision language.

**Comments
(continued)**

Ms. Renita Harmon spoke in reference to laws about living in a RV and rental costs.

Mr. Michael Wolfe spoke about the Sussex County Comprehensive Land Use Plan.

Mr. Howard Berger spoke about safety risks when reviewing plans.

Ms. Jill Hicks spoke about the Planning and Zoning Commission eliminating telephonic comments.

**M 332 23
Approve
Consent
Agenda**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to approve the following items under the Consent Agenda:

- 1. Use of Existing Sewer Infrastructure Agreement, IUA 389-3 Coastal Tide (Building 7), West Rehoboth Area**
- 2. Use of Existing Sewer Infrastructure Agreement, IUA CU2316 Southern Delaware Medical Center, LLC, West Rehoboth Area**
- 3. Use of Existing Sewer Infrastructure Agreement, IUA 1191 Black Oak (Glenwood-Halsey Knapp), West Rehoboth Area**

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**General
Assembly
Review**

Mr. Lawson provided a review of the 152nd General Assembly legislative session. Mr. Lawson reviewed HB2, HB62, SB120, HB72, HB127, SB186, HB246, HB248, HB195, SB160 and HB197.

**Adminis-
trator's
Report**

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

1. Projects Receiving Substantial Completion

Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Acadia Landing – Phase 22A (Construction Record) effective June 12th; Peninsula – Phase 11 – Still Waters – Phase 1 (Construction Record) effective June 21st; and Peninsula Lakes – Phase 13 (Construction Record) effective June 28th.

2. Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County

**Adminis-
trator's
Report
(continued)**

The Advisory Committee on Aging & Adults with Physical Disabilities for Sussex County will meet July 17th at 10:00 a.m. at the Sussex County Administrative Offices West Complex, 22215 North DuPont Boulevard, in Georgetown. A copy of the meeting agenda is attached.

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

**Federal
Payment in
Lieu of
Taxes**

Andrea Wall, Manager of Accounting reported that a check in the amount of \$38,898.00 has been received from the United States Department of Interior, Fish and Wildlife Service, as a federal payment in lieu of taxes for the Prime Hook National Wildlife Refuge. This check represents payments under the Refuge Revenue Sharing Act covering Fiscal Year 2022. The amount is calculated by the U.S. Fish and Wildlife Service by prorating the total funds available for payment. This check is funded through revenues generated from the Prime Hook National Refuge and from a supplemental congressional appropriation. Sussex County may use these funds for any governmental purpose. Mrs. Wall advised that the recommendation is to allocate the funds in the same percentage as other County tax collections, as the County has done in the past.

**M 333 23
Approve
Federal
Payment in
Lieu of
Taxes**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson that the Sussex County Council approve the Accounting Department's recommended distribution of the Refuge Revenue Sharing Funds, as follows: Milford School District -\$7,717.84, Cape Henlopen School District - \$24,986.19; Sussex Technical School District - \$2,663.40; Sussex County - \$3,160.05; and Sussex County Libraries - \$370.52.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**Long Neck
Communit-
ies Proposed
Ordinance**

Hans Medlarz, County Engineer presented a Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$2,036,840 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE LONG NECK COMMUNITIES SEPTIC ELIMINATION PROJECT AND AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH" for Council's consideration.

**Proposed
Ordinance
Introduction**

Mr. Hudson introduced a Proposed Ordinance entitled "AN ORDINANCE AUTHORIZING THE ISSUANCE OF UP TO \$2,036,840 OF GENERAL OBLIGATION BONDS OF SUSSEX COUNTY IN CONNECTION WITH INCREASED COSTS ASSOCIATED WITH THE LONG NECK COMMUNITIES SEPTIC ELIMINATION PROJECT AND

AUTHORIZING ALL NECESSARY ACTIONS IN CONNECTION THEREWITH”.

**Herring
Creek/CO
No. 6 & CO
No. 2**

Hans Medlarz, County Engineer presented change order no. 6 for project S20-07 and change order no. 2 for project S20-08 for Council’s consideration. Mr. Medlarz reported that JJID has completed all punch list items and executed the quantity adjustment resulting in a reduction for change order no. 2. For change order no. 6, Teal Construction has agreed to assuming the remainder of the infrastructure under the project at their unit prices with a non-compensable contract extension of 210-calendar days.

**M 334 23
Approve CO
No. 6**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, that be it moved based upon the recommendation of the Sussex County Engineering Department that final balancing change order no. 6 for contract S20-07, Herring Creek Sanitary Sewer District: North Gravity Sewer and Force Main, be approved in the credit amount of \$1,334,027.29, and that the project be closed out with any held retainage released in accordance with the contract documents, contingent upon USDA concurrence.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**M 335 23
Approve CO
No. 2**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson, that be it moved based upon the recommendation of the Sussex County Engineering Department, that change order no. 2 for contract S20-08, Herring Creek Sanitary Sewer District: South Gravity Sewer and Force Main, Phase III be approved increasing the contract amount by \$1,054,877.00 and the contract time be extended 210 calendar days, contingent upon USDA concurrence.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**Artesian
WW
Managemen-
t/Addendum
No. 7**

Hans Medlarz, County Engineer presented addendum no. 7 for 2016 bulk wastewater services agreement with Artesian Wastewater Management, Inc. and Artesian Water Company, Inc. for Council’s consideration. Mr. Medlarz reported that the addendum will track permanent connected EDUs rather than flows.

**M 336 23
Approve
Addendum
No. 7**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer, that be it moved based upon the recommendation of the Sussex County Engineering and Finance Departments that the Sussex County Council approve Addendum 7 to the Bulk Wastewater Services Agreement between Sussex County and Artesian Wastewater Management, Inc. as presented.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**Appraisal
Services
Contract**

Mark Parker, Assistant County Engineer presented appraisal services contract for Council's consideration. Mr. Parker reported that the existing contract is set to expire in August of 2023. An RFP was developed and advertised. Three proposals were received, after review, it is being recommended to negotiate a contract with W.R. McCain & Associates.

**M 337 23
Approve
Appraisal
Services
Contract**

A Motion was made by Mr. Hudson, seconded by Mr. Schaeffer that be it moved based upon the recommendation of the appraisal review committee, that the Sussex County Council approves the Engineering Department to negotiate a contract with W.R. McCain & Associates, to provide appraisal services as needed for a five (5) year period, effective August 1, 2023.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**Grant
Requests**

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

**M 338 23
West Side
New
Beginnings**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$1,500 (\$1,500 from Mr. Schaeffer's Councilmanic Grant Account) to West Side New Beginnings, Inc. for Safety Street Lights.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

**M 339 23
Rehoboth
Beach
Sportsplex
Group**

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$1,500 (\$1,500 from Mr. Schaeffer's Councilmanic Grant Account) to Rehoboth Beach Sportsplex Group for upgrades to their maintenance equipment.

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

M 340 23

A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give

Mispiration Performance Series **\$1,000 (\$1,000 from Mr. Schaeffer’s Councilmanic Grant Account) to Mispiration Performance Series for their presentations of Duo Sorolla and Cathedral Bass musical ensembles.**

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

M 341 23 AIDS Delaware Inc. **A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to give \$1,000 (\$1,000 from Mr. Schaeffer’s Councilmanic Grant Account) to AIDS Delaware Inc. for their AIDS Walk Delaware program.**

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

M 342 23 Woodbridge Little League **A Motion was made by Mrs. Green, seconded by Mr. Schaeffer to give \$3,000 (\$3,000 from Mrs. Green’s Councilmanic Grant Account) to Little League Baseball Inc. – Woodbridge Little League for their Build Fields program.**

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

M 343 23 Chamber of Commerce for Greater Milford, Inc. **A Motion was made by Mrs. Green, seconded by Mr. Hudson to give \$1,000 (\$1,000 from Mrs. Green’s Councilmanic Grant Account) to Chamber of Commerce for Greater Milford, Inc. for their Riverwalk Freedom Festival.**

Motion Adopted: 4 Yeas, 1 Absent

**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

Due to Mr. Rieley’s absence, grant requests 8, 9 and 10 were deferred a week.

Proposed Ordinance Introductions Proposed **Mrs. Green introduced a Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRICAL SUBSTATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY,**

**Ordinance
Introduct-
ions** **CONTAINING 37.7482 ACRES MORE OR LESS filed on behalf of
Delaware Electric Coop; Troy Dickerson**

(continued) **Mr. Hudson introduced a Proposed Ordinance entitled “AN ORDINANCE
TO AMEND THE FUTURE LAND USE MAP OF THE
COMPREHENSIVE PLAN IN RELATION TO TAX PARCEL NO. 234-
6.00-6.02”**

The Proposed Ordinances will be advertised for a Public Hearing.

**Council
Member
Comments** **Mr. Vincent commented that he attended the Ribbon Cutting yesterday
for the new BayHealth on Route 9.**

**M 344 23
Adjourn** **A Motion was made by Mr. Schaeffer, seconded by Mr. Hudson to adjourn
at 11:04 a.m.**

Motion Adopted: 4 Yeas, 1 Absent

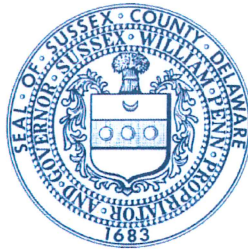
**Vote by Roll Call: Mrs. Green, Yea; Mr. Schaeffer, Yea;
Mr. Hudson, Yea; Mr. Rieley, Absent;
Mr. Vincent, Yea**

Respectfully submitted,

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

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

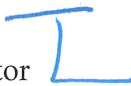
TODD F. LAWSON
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Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable John L. Rieley, Vice President
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable Mark G. Schaeffer

FROM: Todd F. Lawson 
County Administrator

RE: **REVIEW OF COUNTY COUNCIL INITIATIVES**

DATE: July 14, 2023

During Tuesday's meeting, as requested by President Vincent, Council is scheduled to review the list of initiatives Members created at the beginning of the year.

As a reminder, the initiative list was broken down into two sections – the priority list and the on-going list.

The priority list included the following initiatives: County Code updates; Delaware Code updates; DelDOT initiatives; and P&Z initiatives. I will review these initiatives in detail.

The on-going list included the following initiatives: airport construction & expansion; broadband; business park expansion; Delaware State Police support; EMS support; Fire & BLS support; and SC Land Trust & open space acquisition. These projects continue to move forward and I suspect you are very familiar with the progress, nonetheless, I will be prepared to provide specific updates, if needed.

In the meantime, please let me know if you have any questions.



ENGINEERING DEPARTMENT

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

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mark.parker@sussexcountyde.gov



Sussex County

DELAWARE
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TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable John L. Rieley, Vice President
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable Mark G. Schaeffer

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

RE: 2023 Ocean Outfall Repairs, Project G23-18
A. Recommendation to Award

DATE: July 18, 2023

The Ocean Outfall system located between Bethany Beach and Middlesex Beach discharges treated wastewater from the South Coastal Regional Wastewater Facility (SCRWF) into the Atlantic Ocean. Special Condition No. 8 of the Facility's current NPDES Permit No. DE 0050008 states; "The permittee shall visually inspect the ocean outfall structure prior to May 31, 2021, and every 5 years thereafter." These inspections confirm proper condition and function of the Ocean Outfall system, with repairs performed if necessary.

Through a competitive Request For Proposal (RFP) Bid process, TNJ Marine, Inc. was retained to perform the Ocean Outfall system inspection for the last inspection cycle. The inspection was completed by TNJ Marine in May 2021 and the final inspection report submitted on July 2, 2021. Based on the results of the inspection report and at the recommendation of the Engineering Department, Council approved the hiring of a *Subject Matter Expert* in marine construction, Specialty Underwater Services (SUS), on July 21, 2021 to assist in scoping out required repairs and performing additional system observations. Ultimately, a full proposal was submitted by SUS to address the necessary system repairs and visual observations based on the original TNJ Marine inspection report. That proposal was approved by Council on May 24, 2022 in the amount of \$64,250.00.

SUS subsequently completed the scoped system repairs as well as the additional observations along a portion of the pipe outfall in late Summer 2022 timeframe with a final report of findings submitted on November 8, 2022. The repairs primarily consisted of attachment of new bonding wirings to sections of steel bents that support the exposed force main diffuser pipes near the physical system outfall point. The SUS team reported that they observed a significant number of additional wires that were not intact or missing altogether - conditions not noted in the original inspection report. It was also reported by SUS that some of the



anodes attached to the steel bents have less remaining life than documented in the original report; the anodes also play a critical role in overall system cathodic protection.

The Engineering Department recommended that an RFP be developed to address the additional repairs needed, and Council approved such action on February 28, 2023. The RFP was created to incorporate a “Best Value” evaluation process, considering both price and Vendor qualifications, due to the specialty nature of the marine repairs to be performed. The RFP was advertised on May 26, 2023 and a total of five (5) bids were received on June 22, 2023, with one (1) of the bids being found non-responsive. The four (4) remaining bids were from Ballard Marine Construction, J.F. Brennan Company, Underwater Construction, and McLean Contracting.

Based on the results of the Best Value evaluation process, the **Engineering Department recommends award of the project to Ballard Marine Construction for a total Base Bid price of \$154,500**, with standby crew time and contingent items used only if deemed necessary per the Unit Prices submitted.

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE

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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

Proposed Red Fox Run Expansion of the Sussex County Unified Sanitary Sewer District

PERMISSION TO POST FACT SHEET

- Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area)
- The Engineering Department had received a request from the Red Fox Run HOA, to make a presentation on requesting central sewer for their community.
- The Engineering Department met with them at their meeting on March 4, 2023 provided he details and potential costs.
- The Board requested that the department circulate polling letters to the property owners to gauge their interest in central sewer service.
- The responses were received over a three-month period showing 21 in favor 14 opposed and 12 not responding.
- The Engineering Department would like to request permission to prepare and post notices for a Public Hearing on the annexation of the area.
- A tentative Public Hearing is currently scheduled for **September 16, 2023** at the Milton Public Library.



ENGINEERING DEPARTMENT

HANS M. MEDLARZ
COUNTY ENGINEER

(302) 855-7370 T
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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable John L. Rieley, Vice President
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable Mark G. Schaeffer

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

RE: *South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program, Phase 2*
A. Electrical Construction, Project C19-17, Change Order No. 23
B. General Construction, Project C19-11 Change Order No. 29

DATE: July 18, 2023

In summary, the South Coastal WRF Treatment Process Upgrade No.3 encompasses the following components and statuses:

- a. Effluent Forcemain Relocation/Replacement; Completed in fall of 2019.
- b. Influent Forcemain Consolidation; Completed in May of 2020.
- c. Drainage Network Rerouting;
This scope was not included in the base bid. After cost comparison between the General Labor & Equipment Contract versus a change order under Ronca's general construction contract; Council awarded the stand alone Change Order Request 554-001 to Ronca & Sons, Inc. in the amount of \$104,592.96 on March 10, 2020. The construction was completed in July 2020.
- d. General Construction Project C19-11; awarded on December 17, 2019, to M.F. Ronca & Sons, Inc.

On March 10, 2020, Council authorized Change Order No.1 in the net amount of \$97,294.31 for deletion of the record drawing requirement and the modification of the RBWTF influent forcemains.



On May 12, 2020, Council authorized credit Change Order No. 2 in the amount of (\$12,705.00) eliminating an explosion proof motor requirement.

On July 28, 2020, Council approved credit Change Order No. 3 in the combined amount (\$9,764.30) for use of County surplus materials.

Change Order No.4 in the amount of \$871,000.00 for the repairs of partial failures at the two City of Rehoboth's wastewater treatment plant oxidation ditch systems was also approved on July 28, 2020. M.F. Ronca & Sons, Inc. completed the scope in May of 2021 and the County increased the flow contribution to the City's plant.

On December 15, 2020, County Council approved Change Order No. 6 for steel framing repairs in the first oxidation ditch on a time & material basis up to \$10,500.00 in addition to the concrete repairs conducted per the awarded contingent unit price schedules.

The County initiated RFP-019 for interior headworks piping modifications and RFP-023 covering the addition of a cross connection between the existing 14-inch process drain header for Aeration Tank Nos. 1-4 and the new header for the Aeration Tank Nos. 5-8. On September 22, 2020, Council approved Change Order No.5 in the combined amount of \$32,991.66.

GHD issued RFP-031 for the installation of plug valves on each of the 12-inch recycle influent pipes to be connected to the existing Aeration Tank Nos. 1-4 and to the new Aeration Tank Nos. 7-8. On December 15, 2020, Change Order No. 7 was approved for said shut off valves in the amount of \$31,974.51.

The new South Coastal aeration basin had to be connected to the existing large diameter sludge return piping requiring a forward flow stoppage. Minimizing the joint risk M. F. Ronca proposed a line stop approach under Change Order No. 8. Since it also gained construction efficiency, they offered to only charge for the subcontractor work.

In the spring of 2021, the Rehoboth Beach WTP oxidation ditch rehabilitation was receiving expansive attention including:

- Contingent Unit Price Concrete Repairs, Bid Items F-19 & F-20
- Steel Repairs authorized under Change Order No. 6
- Steel Coatings authorized as part of Change Order No. 4

In addition, all of the leaking expansion joints have been repaired under a time & material approach. On March 9, 2021, County Council approved Change Order Nos. 8 and 9 in the respective amounts of \$34,765.50 and \$45,600.00.

Only one of the two headworks vertical influent pipes has a shut off valve and Environmental Services requested a second valve. In addition, two of the existing headworks slide gates were compromised in need of replacement. On

May 25, 2021, Council approved Change Order No. 10 in the aggregate amount of \$34,160.64.

The County initiated RFP-039 addressing modifications to two slide gates avoiding conflict with the new air piping. In addition, it was discovered during the rehabilitation work in the grit tanks, that the existing influent chutes to the stacked tray grit removal systems were significantly compromised. On June 22, 2021, Council approved Change Order No. 11 in the aggregate amount of \$59,557.16.

The design team-initiated RFP-038 for exhaust duct modifications associated with the new turbo blowers and RFP-041 correcting the elevation difference in the headworks cross channel. On July 13, 2021, Council approved Change Order No. 12 to M.F. Ronca & Sons in the aggregate amount of \$14,700.07.

The contract as bid included concrete repairs to the City's headworks and influent splitter box. With the structures by-passed and accessible, the full extent of the damage required an alternative approach detailed in RFP-037 including full demolition of the upper level as well as the channel between it and the splitter box. GHD, the City Engineer and the County Engineer supported the approach, and the change order was within budget of the City's financing arrangements previously approved by the City and County elected officials. Therefore, Council approved Change Order No. 13 to M.F. Ronca & Sons in the amount of \$1,043,243.92 on August 10, 2021.

The City requested M.F. Ronca & Sons' assistance in the wetwell cleaning of the State Rd. pump station to allow a full evaluation in preparation of the upgrade design. In addition, the City requested to modify the air intake for B-10 Building ventilation from a roof mount to an existing window opening. On November 30, 2022, County Council approved Change Order No. 14 in the aggregate amount of \$7,380.37.

Upon exposure of the normally submerged piping at the oxidation ditches, GHD formulated an initial repair scope for the influent, return sludge & air piping including replacement of valves and fittings. It was subsequently reduced and Michael F. Ronca & Sons, Inc. proposed to perform the modified repair scope for \$324,996.81. GHD, the City Engineer and the County Engineer supported the modified approach. However, this amount is not within budget of the City's financing arrangements previously approved. The City will pay for this change order directly out of City funds. County Council approved Change Order No. 15 on January 11, 2022, subject to direct payment by the City. Since then, it was determined that the pipe support configuration for the replacement of oxidation ditch influent piping at the City's WTP required additional supports and RFP-056 was issued. Michael F. Ronca & Sons, Inc. proposed to perform the expanded repair scope for \$ \$8,992.49. County Council approved Change Order No. 17 to M.F. Ronca & Sons in the amount of \$8,992.49 on January 25, 2022.

GHD's design scope included a separate task for the hydraulic transient analysis of the South Coastal effluent force under various pumping scenarios. After County approval of the findings, GHD issued RFP-052 for replacing air valves on the effluent force main and installing additional air valves at new locations. This work scope was not known at time of base bid and hence not included. On January 11, 2022, County Council issued Change Order No. 16 to M.F. Ronca & Sons in the amount of \$88,132.23.

The South Coastal RWF's return sludge pumping station has three (3) pumps, two of which have been upgraded. The third unit recently experienced a failure, and the Environmental Services requested replacement of the pump and piping to be integrated in the project as per RFP-053. Michael F. Ronca & Sons, Inc. proposed Change Order No. 18 in the amount of \$ 31,101.61, which Council approved on January 25, 2022.

Under RFP-053 the Environmental Services staff requested replacement of two (2) compromised pumps and rail systems in the existing filtrate return pump station in the filter building. Under RFP-057 the City staff requested new fiberglass baffles and a guide bracket assembly to replace the original wooden baffle assembly located in the flow splitter box. M.F. Ronca & Sons proposed to complete the work for \$90,081.84 and \$8,132.66 respectively which Council approved on February 8, 2022, via Change Order 19.

The City requested M.F. Ronca & Sons' assistance in the installation of a lintel above the screen chute complete with control joints limiting vertical cracking. Ronca proposed to complete this work for \$7,426.59.

Starting in 2021, Environmental Services started experiencing more frequent malfunctions and alarm call outs with the influent screens at the Inland Bays RWF. In addition, a reduction in screen bar opening from ¼-inch to 3/16-inch opening will help the facilities sludge accumulation. The units were commissioned in the fall of 2010 and normally have a 15-year service life. The Engineering Department requested the assistance of Michael F. Ronca & Sons, Inc. and their investigation revealed that a full replacement could be accomplished for \$ 253,417.58, which was only 10% more expensive than a full rebuilt. Therefore, County Council approved Change Order No. 20 in the aggregate amount of \$260,844.17 on March 8, 2022 for the replacement in kind of two screens at Inland Bays and the masonry work at the City's plant.

The South Coastal facility requires alkalinity adjustments. In the past caustic soda was used however with the upgrade project the approach was switched to magnesium hydroxide. The as bid design included an innovative low energy consumption type Enviromix gas mixing system with a performance guarantee which was not met at start up. Therefore, the design approach was switched to a traditional impeller type mixing system. Michael F. Ronca & Sons, priced the modification including the full contract credits relating to the original

Enviromix system and on March 29, County Council approved Change Order No. 21 in the aggregate amount of \$45,989.72.

The FY2022 Environmental Services budget included roof repairs of the South Coastal administration building and conversion of an existing pole building to an electrical panel shop. M. F. Ronca & Sons already has subcontractors in their scope of work who perform this type of work. They priced the building modification and selectively investigated the roof conditions. The roof dating to the original construction needs full replacement and has areas of compromised decking. Due to market volatility, long lead times and anticipated incremental increases in roofing material (membrane & tapered insulation) costs, pricing includes a material escalation allowance. Upon delivery of roofing materials final costs will be incorporated in a corrective change order reflecting actual material increases. Roof decking replacement will be performed at a unit cost of \$25.00 per SF incorporated into the corrective change order. On May 10, 2022, Council approved Change Order No. 22 in the aggregate amount of \$306,692.52 for pole building enclosure and admin building roof replacement followed by a later corrective change order adjusting unit costs and material pricing.

Environmental Services initiated RFP-067 for painting of the original 1970s mechanical building pump room and M. F. Ronca & Sons proposed to perform the work for \$7,893.90. On June 7, 2022, Council approved Change Order No. 23 in the amount of \$7,893.90.

Environmental Services initiated RFPs-072 & 073. The first deals with a new isolation valve on the existing 8-inch equalization return line in the Mechanical Building Pump Room. The second one modifies the PLC control logic in motor circuit protection of the new turbo blowers and the human machine interfaces graphic displays. On August 23, 2022, Council approved Change Order No. 24 to M.F. Ronca & Sons in the aggregate amount of \$12,829.83.

The headworks at the SCRWF are covered and the ventilated air treated for odors. The contract included unit pricing repair items for the headworks. The damage discovered during the rehabilitation work in the headworks and grit tanks indicated corrosion way above the anticipated levels. Therefore, the Engineering Department initiated RFP-071 for improvements to the headworks ventilation. After value engineering by M. F. Ronca & Sons they proposed to perform the work for \$126,590.76. On October 11, 2022, Council approved Change Order No. 25, significantly extending the asset life of the headworks in the amount of \$126,590.76.

Upon condition exploration of the City's main system pump station on State Street, GHD formulated an initial repair scope and subsequently issued RFP-075 for the repairs. This station also carries the County's Henlopen Acres Sewer District Area flows, and the County participates in the repair effort. With the urgency of the repair evident, the City requested inclusion in the

project. M. F. Ronca & Sons, Inc. proposed to perform the modified repair scope for \$2,270,000.00. GHD, the City Engineer and the County Engineer supported the modified approach. On December 6, 2022, Council approved Change Order No. 26 to Michael F. Ronca & Sons, Inc. to perform the expanded State Street Pump Station repair scope for \$2,270,000.00. The City will pay for this change order directly out of City funds with separate invoice by contractor. In addition, with concurrence of the City, County Council granted Substantial Project Completion for the Rehoboth Beach WTP Capital Improvement Program, Phase 2 as of November 14, 2022.

In January of 2023, GHD conducted a factory acceptance test of the new turbo blower system controls. The test revealed that modifications to the PLC and HMI programs were necessary. All parties agreed that the quantity of the desired modifications would trigger RFP-079. M. F. Ronca & Sons, Inc. proposed to perform the additional scope for \$4,412.55.

The original bid contained a unit cost for grit removal from the sludge holding lagoons. For Lagoon B a hydraulic removal was considered but due to the quantity of grit a mechanical removal was analyzed. It would result in the destruction of the 20-years+ old liner. However, despite the replacement cost of the liner in the amount of \$84,375.17 the overall approach proved to be more cost effective and resulted in a new liner. On March 21, 2023 Council concurred and approved M. F. Ronca & Sons, Inc.'s Change Order No. 27 in the aggregate amount of \$88,787.72.

The project includes a new aeration basin and the associated above ground air supply piping. The air supplied by the turbo blowers is compressed and heats up in the process. Therefore, the piping has to balance the expansion and contraction via a specialized support system. GHD conducts routine construction phase QC inspections. During the last one in April, GHD identified opportunities to further reduce pipe stress and increase service life summarized in the attached RFP-081. The additional made to order components were administratively authorized after review of preliminary pricing to maintain the project schedule. On June 6, 2023, Council approved M. F. Ronca & Sons, Inc.'s Change Order No. 28 in the amount of \$108,583.52.

During the start up of the upgradred mechanical plant pump station a one time pressure transient was experienced. In an abundance of caution GHD recommended under RFP-088 to replace the gauge with a pressure transmitter in the same location. M. F. Ronca & Sons, Inc. proposes to install the modified tap and piping for \$1,656.00.

The original project bid included a complex winch system moving biosolids containers back and forth under the belt press shoots to allow for uniform loading. Staff has been operating the regional biosolids system for two years and found the occasional moving of the containers to be unproblematic. This

allows for the elimination of the winch system under RFP-088. M. F. Ronca & Sons, Inc. proposes a credit of (-\$282,145.60).

In summary, the Engineering Department recommends issuance of Change Order No. 29 for M. F. Ronca & Sons, Inc. in the aggregate credit amount of (-\$280,489.60).

- e. **Electrical Construction Project C19-17**; awarded on December 17, 2019, to BW Electric, Inc.

On February 4, 2020, Council awarded Change Order No.1 in the credit amount of (\$759,374.80) mostly for changes to the conduit materials. A second credit change order was approved on March 10, 2020, in the amount of (\$6,800.00) for ductbank modifications.

On April 7, 2020, Council approved Change Order No.3 in the not to exceed amount of \$235,637.33 for DP&L requested changes to the utility power service entrance location at the RBWTP.

On May 12, 2020, Council authorized Change Order No.4 in the amount of \$11,350.00 for reconstruction of the original electrical equipment in South Coastal's sludge handling building electrical room.

On July 28, 2020, Council approved Change Order No.5 in the combined amount of \$37,830.00 for the removal of an existing electrical handhole and duct bank and the modification of the duct bank between the DP&L utility switching pedestal and the transformer.

On September 22, 2020, Council approved Change Order No.6 in the amount of \$16,550.00 for the change of the sewer service for the return sludge building No. 2 from a gravity drain to a pumped approach.

On September 22, 2020, Council approved Change Order No. 7 in the not to exceed amount of \$307,300.00 for the City's oxidation ditch complete electrical equipment replacement. This change order had an allowance for sensor replacements which proved too low and required an increase of \$6,582.80. Council approved the modification to Change Order No. 7 on November 10, 2020.

On November 10, 2020, Council approved Change Order No. 8 in the aggregate amount of \$2,249.00 covering RFP-027, RFP-028, RFP-029 & RFP-030. GHD has concluded that RFP-029 can be rescinded in its entirety. Therefore, the scope of work in the Sludge Building reverts to the Drawings, as modified by Change Order No. 4 associated with RFP-016. However, on December 15, 2020, Council approved the modification reducing Change Order No. 8 by \$9,040.00 for a modified net total credit of (\$6,791.00).

On February 9, 2021, Council approved Change Order No. 9 in the aggregate amount of \$30,554.00 covering RFPs-032 & 033. The first RFP provided upsized control panels, conduit and conductors associated with the two (2) Jet Mixing Pump VFDs while the second dealt with a modified temporary electrical feeder arrangement and a redirection of the medium voltage loop.

On August 10, 2021, Council approved Change Order No. 10 in the aggregate amount of \$7,320.00 covering RFP- 035 for waterproofed convenience receptacles at the return sludge building's pump room and RPP-040 for additional site lighting in the area of the generator and blower buildings.

On October 12, 2021, Council approved Change Order No. 11 in the aggregate amount of \$47,328.70 covering the City's initiated RFPs-042 & 44. The first one replaces the deteriorated pull box at building B-10 with a stainless steel one and the second one addresses modifications to the garage feeder.

Also on October 12, 2021, Council approved Change Order No. 12 in the amount of \$4,779.38 covering RFP-045 for modification to the aeration basin lighting out of operational safety concerns.

On January 11, 2022, County Council issued Change Order No. 13 in the aggregate amount of \$20,018.56 for City initiated RFPs -043 & 049. The first one relates to the electrical control requirements for a booster pump in Building T-1. The second one addresses rewiring of the two (2) level sensors and dissolved oxygen probes at the oxidation ditches.

Also On January 11, 2022, County Council issued Change Order No. 14 in the credit amount of (\$6,485.87) for the elimination of four valve actuators.

The City's lighting in the headworks building and the panelboard in the chemical building are compromised by corrosion and City staff requested replacement as per RFP-050. The County Environmental Services and IT staff reanalyzed the facility's fiber optic cabling needs and requested inner duct modifications under RFP-059. BW Electric proposed to make the changes for \$12,018.72 and \$16,100.70 respectively and on February 8, 2022, Council issued Change Order No. 15 in the aggregate amount of \$28,119.42.

On March 29, 2022, County Council issued Change Order No. 16 in the aggregate amount of \$52,003.13 for the DP&L metering modifications at the City's plant and dedicated VFD cabinet ventilation.

The following RFPs were requested by Environmental Services:

1. RFP-064 for float-controlled effluent pump backup control panel in the event of a failure in the digital pump control system or level transmitter in the amount of \$29,895.13.
2. RFP-065 for the demolition and replacement of the original 1970s lighting in the Headworks Pump Room, Headworks Grit Dewatering Room,

- Mechanical Building Pump Room, and outdoor wallpacks around perimeter of Mechanical Building in the amount of \$80,099.11.
3. RFP-066 for additional circuits and conduits associated with a conveyor warning alarm in the Cake Storage Building, and for separation of 120 VAC circuits from 24 VDC circuits originating in Cake Storage Building in the amount of \$3,090.30.
 4. RFP-068 for the electrical work associated with replacing the compressed gas mixing system with a mechanical mixing system in the amount of \$83,738.84. This is the companion change order to Michael F. Ronca & Sons' Change Order No. 21 for the mechanical work.
 5. RFP-069 for a change in the existing 6-way DB-5A allowing for the MH-47 to be eliminated at a credit of (\$7,500.00).

On May 10, 2022, Council approved BW Electric, Inc.'s Change Order No. 17 in the aggregate amount of \$189,323.38.

The pumps and rail systems in the existing filtrate return pump station were upgraded under Change Order No. 18 by M. F. Ronca & Sons. RFP-060 covers the electrical and control upgrades associated with that station. This work was not part of the original plant upgrade scope. BW Electric, Inc. proposed to complete the work for \$92,713.82. In order to address operator safety and access cameras, as well as network access points, proposals were requested at aeration tanks 5-8 requiring a series of additional conduits and pull boxes. BW Electric, Inc. proposed to complete the work for \$50,362.91. On June 7, 2022, Council approved Change Order No. 18 to BW Electric, Inc in the aggregate amount of \$143,076.73.

Provide a credit proposal to remove the Off-Site Manufacturer Course Training specified in the construction documents. This will be conducted as part of the startup process resulting in a credit of \$17,758.13. On October 11, 2022, Council approved Change Order No. 19 in the amount of \$17,758.13.

On October 11, 2022, Council approved M. F. Ronca & Sons' Change Order No. 25 for the SCRWF for improvements to the headworks ventilation. GHD issued the companion RFP-077 for the odor control electrical modifications. In response BW Electric, Inc. proposed to complete the work for \$19,401.62.

GHD also issued companion RFP-076 for the electrical components associated with City's State Street pump station repair scope. In response BW Electric, Inc. proposed to complete the work for \$462,938.82. The City has concurred in the issuance and again will pay for this change order directly out of city funds with separate invoice by the electrical contractor.

On December 6, 2022, Council approved Change Orders No. 20 in the amount of \$19,401.62 & 21 in the amount of \$462,938.82 to BW Electric, Inc. for the headworks ventilation and the expanded State Street Pump Station electrical

repair scope. The latter paid for by the City via direct reimbursements to the contractor.

BW Electric, Inc. submitted RFI-102 questioning the absence of a neutral bonding conductor in the electrical feeder 5A. GHD investigated the information request and concluded that the least costly solution to achieve the NEC required bonding was to add a conductor. Since this was an omission in the original documents, all of GHD's work associated with this item was not billed. On March 21, 2023 Council concurred and approved BW Electric's Change Order No. 22 in the amount of \$33,342.10.

The following RFPs were requested by Environmental Services:

1. RFP-082 deals with now required generator building feeder replacement since the "spare" shown on record drawings turned out to be already occupied. BW Electric proposes to complete the task for \$4,736.24.
2. RFP-083 for the shop feeder conductor replacements required due County's equipment changes. BW Electric proposes to complete the task at no cost.
3. RFP-084 covers the complete replacement of original 1970s lagoon sludge lighting system. It is largely inoperative, and the poles and fixtures are heavily corroded. BW Electric proposes to complete the task for \$86,480.73.
4. RFP-085 for the welder receptacles upgrades. BW Electric proposes to complete the task at no cost.
5. RFP-087 for the electrical components and signal wiring associated with the pressure sensor in the mechanical pump station. This is the electrical companion scope to Michael F. Ronca & Sons' RFP-088 for the mechanical work. BW Electric proposes to complete the task for \$10,340.23.

In summary, the Engineering Department recommends issuance of Change Order No. 23 for BW Electric, Inc. in the aggregate amount of \$101,557.20.

BW Electric is still assessing the electrical cost associated with the which system elimination and the associated programming under RFP-089 & 090. In addition, an electrical safety issue at the SC administration building is investigated by GHD.

- f. Mobile Belt Filter Press; awarded on January 7, 2020, Council to Kershner Environmental Technologies. The unit is currently stationed at South Coastal in anticipation of the aeration basin transfer.
- g. DP&L direct expenses; on February 4, 2020, Council approved the electric utility service relocation contract with the utility.
- h. The Rehoboth Beach WTP was built on a municipal landfill and Council approved a stand-alone competitive purchase order to Melvin L. Joseph Construction Company, Inc. for material hauling & screening on July 14, 2020.

The updated expenses associated with the South Coastal WRF Treatment Process Upgrade No.3 & Rehoboth Beach WTP Capital Improvement Program; Phase 2 are summarized in the attached spreadsheet.



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – Electrical Construction**
2. Sussex County Project No. C19-17
3. Change Order No. 23
4. Date Change Order Initiated - 7/18/23
5.
 - a. Original Contract Sum \$22,178,674.00
 - b. Net Change by Previous Change Orders \$609,791.85
 - c. Contract Sum Prior to Change Order \$22,788,465.85
 - d. Requested Change \$ 101,557.20
 - e. Net Change (No. of days) _____
 - f. New Contract Amount \$22,890,023.05
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

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

6. Factors Affecting Time of Completion

7. Other (explain below):

C. BRIEF DESCRIPTION OF CHANGE ORDER:

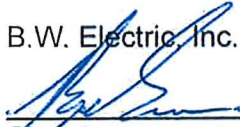
Shop feeder conductor replacements, replacement of lagoon sludge lighting system and electrical components/signal wiring associated with pressure sensor in the mechanical pump station.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes X No

E. APPROVALS

1. B.W. Electric, Inc., Contractor



Signature

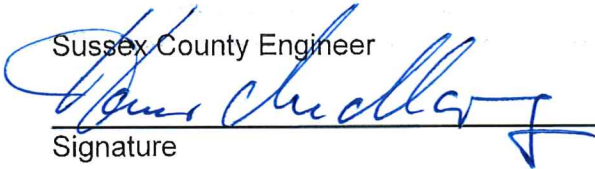
7/13/23

Date

BRYAN SWARREN PRESIDENT

Representative's Name in Block Letters

2. Sussex County Engineer



Signature

7/13/23

Date

3. Sussex County Council President

Signature

Date



15342 S. DuPont Hwy
Harrington DE 19952

Office: 302.566.6248
Fax: 302.566.6251

Bryon Warren
President
302-270-5719

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

June 29, 2023

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 82

Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 82. Our price does not include the use of Prevailing Wages. Our price is a **\$4,736.24** and includes the following:

Description of proposed changes:

Ref: RFI-105

Contractor is requested to submit a proposal to replace the Generator Building feeder as proposed in RFI-105:

- Install new 2" schedule 80 PVC conduit from Handhole HH13 and connect to existing underground conduit to the north of the Generator Building as shown in the sketch included in RFI-105.
- Direct bury conduit under a minimum of 24" cover. Repair surface to rough grade.
- Replace entire length of feeder conductors from Panelboard PP5 (60A, 3P feeder CB) in the Electrical Building to the Generator Building main power panelboard with 3-#6, 1-#8N, 1-#8G conductors.
- Update the circuit directory of PP5 with the following: "GENERATOR BUILDING – BUILDING DISCONNECTING MEANS."
- Provide a new nameplate to be installed on the existing 480 VAC, 3 phase main power panelboard. Nameplate shall be inscribed with the following: "BUILDING DISCONNECTING MEANS LOCATED IN ELECTRICAL BUILDING, PANELBOARD PP5, CIRCUIT NO. XXX" (identify which circuits in PP5).

If this RFP is accepted, we are requesting 3 days be added to the contract.

Exclusions

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

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

Sincerely,

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

#SCRWF Upgrade No.3 and RBWWTP CIP Upgrade Phase 2 : RFP No. 082

Totals (Summary) - Bid Summary: Default

Material	
Non-Quoted	\$1,521.13
Quotes	0.00
Sales Tax (0.00%)	0.00
Total Material	\$1,521.13
Labor	
Direct (33.06 hours @ \$75.00)	\$2,479.50
Non-Productive Labor	0.00
Total Labor (33.06 hours)	\$2,479.50
Direct Job Expenses	\$0.00
Tools and Miscellaneous Materials	0.00
Subcontracts	0.00
Job Subtotal (Prime Cost)	\$4,000.63
Overhead (10.00%)	400.06
Profit (5.00%)	220.03
Job Total	\$4,620.72
Bond	
Bond	115.52
Job Total with Bond	\$4,736.24
Actual Bid Price	\$4,736.24
Material to Direct Labor ratio: 0.38	
Prime Cost per square foot	\$0.00
Job Total per square foot	\$0.00
Actual Bid Price per square ft	\$0.00
Labor cost per square foot	\$0.00
Labor hours per square foot	0.00
Gross Profit %	15.53
Gross Profit \$	\$735.61
Net Profit %	7.08



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	082		
RFP Subject	Generator Building Feeder Replacement		
Issued By	D. Murray	Issue Date	May 26, 2023

Description of proposed changes:

Ref: RFI-105

Contractor is requested to submit a proposal to replace the Generator Building feeder as proposed in RFI-105:

- Install new 2" schedule 80 PVC conduit from Handhole HH13 and connect to existing underground conduit to the north of the Generator Building as shown in the sketch included in RFI-105.
- Direct bury conduit under a minimum of 24" cover. Repair surface to rough grade.
- Replace entire length of feeder conductors from Panelboard PP5 (60A, 3P feeder CB) in the Electrical Building to the Generator Building main power panelboard with 3-#6, 1-#8N, 1-#8G conductors.
- Update the circuit directory of PP5 with the following: "GENERATOR BUILDING – BUILDING DISCONNECTING MEANS."
- Provide a new nameplate to be installed on the existing 480 VAC, 3 phase main power panelboard. Nameplate shall be inscribed with the following: "BUILDING DISCONNECTING MEANS LOCATED IN ELECTRICAL BUILDING, PANELBOARD PP5, CIRCUIT NO. XXX" (identify which circuits in PP5).



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Harrington DE 19952

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Bryon Warren
President
302-270-5719

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

June 29, 2023

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 83

Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 83. Our price does not include the use of Prevailing Wages. Our price is **NO COST** and includes the following:

Description of proposed changes:

Ref: RFI-106

- Contractor is requested to submit a proposal to replace the Shop Feeder as follows:
Feed shop Panelboard PHA from existing 25A/2P breaker in Panelboard LP5C in the Mechanical Building - Electrical Room South.
- Provide 3/4" C from Panelboard LP5C to pull box above MCC-MB.
- Provide 3-#10, 1-#10 G conductors from Panelboard LP5C and through pull boxes and duct banks to Panelboard PHA as shown on the Drawings.
- Provide credit for power feeder PF-SH (4-#3, 1-#8G) shown on Drawing E0015.

If this RFP is accepted, we are requesting 0 days to be added to the contract.

Exclusions

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

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

Sincerely,

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



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	083		
RFP Subject	Shop Feeder Replacement		
Issued By	D. Murray	Issue Date	May 30, 2023

Description of proposed changes:

Ref: RFI-106

Contractor is requested to submit a proposal to replace the Shop Feeder as follows:

- Feed shop Panelboard PHA from existing 25A/2P breaker in Panelboard LP5C in the Mechanical Building - Electrical Room South.
- Provide 3/4" C from Panelboard LP5C to pull box above MCC-MB.
- Provide 3-#10, 1-#10 G conductors from Panelboard LP5C and through pull boxes and duct banks to Panelboard PHA as shown on the Drawings.
- Provide credit for power feeder PF-SH (4-#3, 1-#8G) shown on Drawing E0015.



15342 S. DuPont Hwy
Harrington DE 19952

Office: 302.566.6248
Fax: 302.566.6251

Bryon Warren
President
302-270-5719

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

June 29, 2023

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 84
Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 84. Our price does not include the use of Prevailing Wages. Our price is **\$86,480.73** and includes the following:

Description of proposed changes:

Ref: RFI-107

Contractor is requested to submit a proposal to replace lagoon lighting fixtures and receptacles as follows:

- Provide ten new type R1 lighting fixtures mounted on 10' aluminum poles.
- Provide lighting pole bases per Detail 1 on Drawing E6002. Modify as required to attach to existing walkways. Provide stainless steel hardware. Connect ground grid conductor referenced in detail to metal walkway. Provide #2 AWG conductor in lieu of #4/0 AWG.
- Provide GFI receptacle and light switch at each walkway. Light switch shall be mounted on upper rail of handrail at entrance to walkway. Mount receptacle on lower rail of handrail. Light switch is just to control the individual light fixture at each walkway.
- Provide PVC coated type device boxes for receptacles and switches, suitable for installation in Wet Locations. Duplex device box or two single device boxes is/are acceptable.
- Provide weatherproof while in use type receptacle covers.
- In lieu of using ten different panelboard circuits for lighting fixtures and ten different panelboard circuits for receptacles as shown on the Drawings, combine lighting circuits and receptacle circuits at each of the three lagoons. There will be 6 total circuits used. Update panelboard schedule as follows and change the unused panelboard circuit breakers to spares.
 - Lagoon A Walkway Receptacles (GPSLB-1)

- o Lagoon B Walkway Receptacles (GPSLB-3)
- o Lagoon C Walkway Receptacles (GPSLB-5)
- o Lighting – Lagoon A (PPSLB-1)
- o Lighting – Lagoon B (PPSLB-3)
- o Lighting – Lagoon C (PPSLB-5)

If this RFP is accepted, we are requesting 20 days to be added to the contract.

Exclusions

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

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

Sincerely,

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



A U.S. Electrical Services Inc. Company

302 GABOR DRIVE
NEWARK, DE 19711-6633
302-737-3778
Fax 302-368-1219

Quotation

QUOTE DATE	QUOTE NUMBER	PAGE NO.
06/21/2023	S123368987	1 of 1
CUST PO#:	SOUTH COASTAL WWTP	
JOB/REL#:		

QUOTE TO:

SHIP TO:

BW ELECTRIC INC
15342 S DUPONT HWY
HARRINGTON, DE 19952-3114

BW ELECTRIC INC
15342 S DUPONT HWY
HARRINGTON, DE 19952-3114

CUSTOMER NUMBER	CUSTOMER PHONE	ORDERED BY	SALESPERSON							
130511	302-566-6248	JASON	KEVIN HERMANSADER 302-737-3778							
WRITER	SHIP VIA	TERMS	EXPIRATION DATE	FREIGHT EXEMPT						
KEVIN HERMANSADER 302-737-3778	R3MOORDELAWAR E	2% 10TH, NET 15TH	07/21/2023	No						
ORDER QTY	DESCRIPTION		UNIT PRICE	EXT PRICE						
LOT	^LOT ITEM: KIMLGT KIM LIGHTING This Lot Shipment Consists of:		28500.00	28500.00						
	<table border="1"> <thead> <tr> <th>Order Qty</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>10</td> <td>UR20/24L-65/3K7/5W/UNV/FM44/BLT/SF</td> </tr> <tr> <td>10</td> <td>KRS10-4120-FM-BL-BC-ABT</td> </tr> </tbody> </table>		Order Qty	Description	10	UR20/24L-65/3K7/5W/UNV/FM44/BLT/SF	10	KRS10-4120-FM-BL-BC-ABT		
Order Qty	Description									
10	UR20/24L-65/3K7/5W/UNV/FM44/BLT/SF									
10	KRS10-4120-FM-BL-BC-ABT									

Prices listed on this quotation are subject to change without notice beyond expiration date, include only the equipment listed and do not include any sales tax unless noted otherwise. Expiration date does not apply to commodity pricing which may be subject to change after 24 hours. Special order items cannot be cancelled unless the manufacturer permits cancellation.

Subtotal	28500.00
Shipping Chgs	0.00
Amount Due	28500.00

#SCRWF Upgrade No.3 and RBWWTP CIP Upgrade Phase 2 : RFP No. 084
Totals (Summary) - Bid Summary: Default

Material	
Non-Quoted	\$23,559.36
Quotes	28,500.00
Sales Tax (0.00%)	0.00
Total Material	\$52,059.36
Labor	
Direct (299.85 hours @ \$70.00)	\$20,989.50
Non-Productive Labor	0.00
Total Labor (299.85 hours)	\$20,989.50
Direct Job Expenses	\$0.00
Tools and Miscellaneous Materials	0.00
Subcontracts	0.00
Job Subtotal (Prime Cost)	\$73,048.86
Overhead (10.00%)	7,304.89
Profit (5.00%)	4,017.69
Job Total	\$84,371.44
Bond	2,109.29
Job Total with Bond	\$86,480.73
Actual Bid Price	\$86,480.73
Material to Direct Labor ratio: 0.71	
Prime Cost per square foot	\$0.00
Job Total per square foot	\$0.00
Actual Bid Price per square ft	\$0.00
Labor cost per square foot	\$0.00
Labor hours per square foot	0.00
Gross Profit %	15.53
Gross Profit \$	\$13,431.87
Net Profit %	7.08



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	084		
RFP Subject	Lagoon Lighting		
Issued By	D. Murray	Issue Date	May 26, 2023

Description of proposed changes:

Ref: RFI-107

Contractor is requested to submit a proposal to replace lagoon lighting fixtures and receptacles as follows:

- Provide ten new type R1 lighting fixtures mounted on 10' aluminum poles.
- Provide lighting pole bases per Detail 1 on Drawing E6002. Modify as required to attach to existing walkways. Provide stainless steel hardware. Connect ground grid conductor referenced in detail to metal walkway. Provide #2 AWG conductor in lieu of #4/0 AWG.
- Provide GFI receptacle and light switch at each walkway. Light switch shall be mounted on upper rail of handrail at entrance to walkway. Mount receptacle on lower rail of handrail. Light switch is just to control the individual light fixture at each walkway.
- Provide PVC coated type device boxes for receptacles and switches, suitable for installation in Wet Locations. Duplex device box or two single device boxes is/are acceptable.
- Provide weatherproof while in use type receptacle covers.
- In lieu of using ten different panelboard circuits for lighting fixtures and ten different panelboard circuits for receptacles as shown on the Drawings, combine lighting circuits and receptacle circuits at each of the three lagoons. There will be 6 total circuits used. Update panelboard schedule as follows and change the unused panelboard circuit breakers to spares.
 - Lagoon A Walkway Receptacles (GPSLB-1)
 - Lagoon B Walkway Receptacles (GPSLB-3)
 - Lagoon C Walkway Receptacles (GPSLB-5)
 - Lighting – Lagoon A (PPSLB-1)
 - Lighting – Lagoon B (PPSLB-3)
 - Lighting – Lagoon C (PPSLB-5)



15342 S. DuPont Hwy
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Office: 302.566.6248
Fax: 302.566.6251

Bryon Warren
President
302-270-5719

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

June 29, 2023

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 85

Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 85. Our price does not include the use of Prevailing Wages. Our price is **NO COST** and includes the following:

Description of proposed changes:

Ref: RFI-108

Contractor is requested to submit a proposal to demolish the two welder receptacles in the Maintenance Building as follows:

- Remove two existing welder receptacles from device boxes.
- Provide cover for device boxes.
- Update Panelboard GPMB2 directory to indicate breakers 1-3, 2, and 4 are spares.
- Tape stripped ends of wires in panelboard and device boxes and label as spares.

If this RFP is accepted, we are requesting 0 days to be added to the contract.

Exclusions

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

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

Sincerely,

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



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	085		
RFP Subject	Welder Receptacles		
Issued By	D. Murray	Issue Date	May 26, 2023

Description of proposed changes:

Ref: RFI-108

Contractor is requested to submit a proposal to demolish the two welder receptacles in the Maintenance Building as follows:

- Remove two existing welder receptacles from device boxes.
- Provide cover for device boxes.
- Update Panelboard GPMB2 directory to indicate breakers 1-3, 2, and 4 are spares.
- Tape stripped ends of wires in panelboard and device boxes and label as spares.



15342 S. DuPont Hwy
Harrington DE 19952

Office: 302.566.6248
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Bryon Warren
President
302-270-5719

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

June 29, 2023

Subject: SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2 RFP No. 87

Dear Mr. Medlarz,

Our price to perform the electrical work associated with the above project is based on RFP No. 87. Our price does not include the use of Prevailing Wages. Our price is **\$10,340.23** and includes the following:

Description of proposed changes:

A separate RFP will be generated for the general contractor to provide a PIT in the discharge line for MPS-1801. The new PIT will be installed in the valve vault adjacent to the MBPS wet well and connected to the in line annular seal.

A price proposal for the following work is requested of the electrical contractor:

- Provide signal cable (TSP-1) from the PIT to PCS-MB and connect the cable to a spare analog input in PCS-MB.
- Install the conductors from the PIT through the ¾" 120 VAC power conduit that is installed from the vault to an existing pull box adjacent to the vault (approximately 20 inches).
- Install the TSP-1 from the pull box through the spare 2" conduit into the underground duct bank over to the handhole, and through the 4" spare conduit from the handhole over to the wall-mounted pull box.
- Provide a new TSP-1 with conduit from the interior pull box that is installed opposite the exterior pull box to PCS-MB and terminate at one of the spare analog input points in PCS-MB. The PIT will require 24 VDC loop power.
- Calibration for the new 4-20 mA AI signal will be 0-217 psig.
- PIT tag no. will be PIT-1801.

If this RFP is accepted, we are requesting 3 days be added to the contract.

Exclusions

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

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

Sincerely,

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

#SCRWF Upgrade No.3 and RBWWTP CIP Upgrade Phase 2 : RFP No. 087

Totals (Summary) - Bid Summary: Default

Material	
Non-Quoted	\$3,269.33
Quotes	0.00
Sales Tax (0.00%)	0.00
Total Material	\$3,269.33
Labor	
Direct (78.07 hours @ \$70.00)	\$5,464.90
Non-Productive Labor	0.00
Total Labor (78.07 hours)	\$5,464.90
Direct Job Expenses	\$0.00
Tools and Miscellaneous Materials	0.00
Subcontracts	0.00
Job Subtotal (Prime Cost)	\$8,734.23
Overhead (10.00%)	873.42
Profit (5.00%)	480.38
Job Total	\$10,088.03
Bond	
Bond	252.20
Job Total with Bond	\$10,340.23
Actual Bid Price	\$10,340.23
Material to Direct Labor ratio: 0.37	
Prime Cost per square foot	\$0.00
Job Total per square foot	\$0.00
Actual Bid Price per square ft	\$0.00
Labor cost per square foot	\$0.00
Labor hours per square foot	0.00
Gross Profit %	15.53
Gross Profit \$	\$1,606.00
Net Profit %	7.08



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	087		
RFP Subject	MBPS Discharge Pressure Signal		
Issued By	S. Polner, R. Cardinal	Issue Date	June 27, 2023

Description of proposed changes:

A separate RFP will be generated for the general contractor to provide a PIT in the discharge line for MPS-1801. The new PIT will be installed in the valve vault adjacent to the MBPS wet well and connected to the in line annular seal.

A price proposal for the following work is requested of the electrical contractor:

- Provide signal cable (TSP-1) from the PIT to PCS-MB and connect the cable to a spare analog input in PCS-MB.
- Install the conductors from the PIT through the ¾" 120 VAC power conduit that is installed from the vault to an existing pull box adjacent to the vault (approximately 20 inches).
- Install the TSP-1 from the pull box through the spare 2" conduit into the underground duct bank over to the handhole, and through the 4" spare conduit from the handhole over to the wall-mounted pull box.
- Provide a new TSP-1 with conduit from the interior pull box that is installed opposite the exterior pull box to PCS-MB and terminate at one of the spare analog input points in PCS-MB. The PIT will require 24 VDC loop power.
- Calibration for the new 4-20 mA AI signal will be 0-217 psig.
- PIT tag no. will be PIT-1801.



Request for Proposal

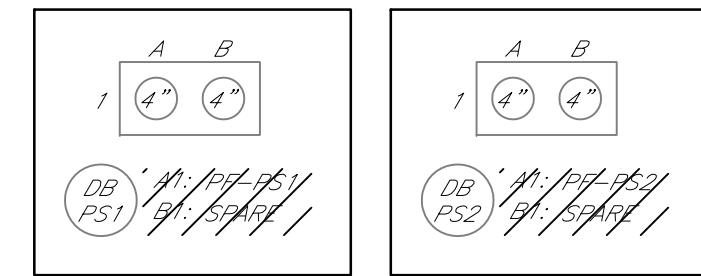
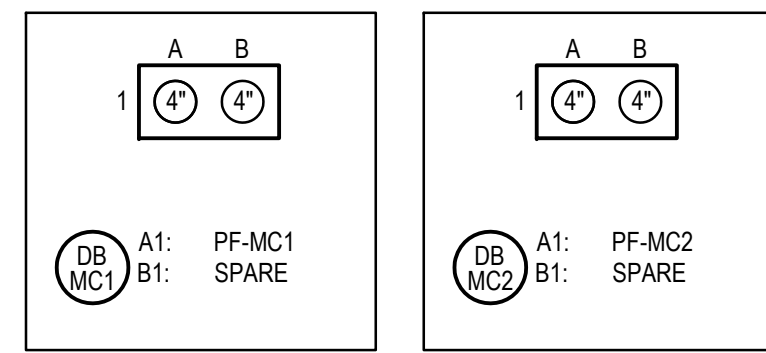
Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-17: Electrical Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	089		
RFP Subject	Winch System Deletion - Electrical		
Issued By	R. Cardinal	Issue Date	July 10, 2023

Description of proposed changes:

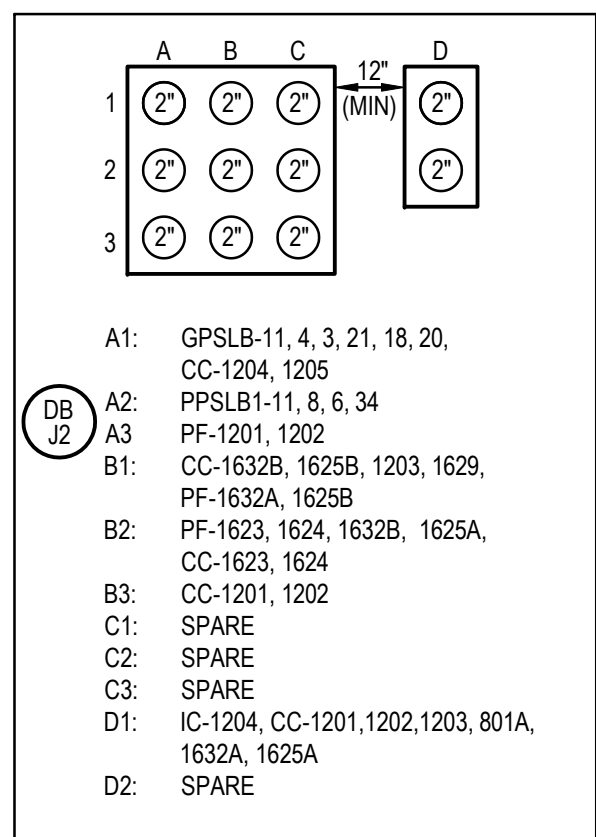
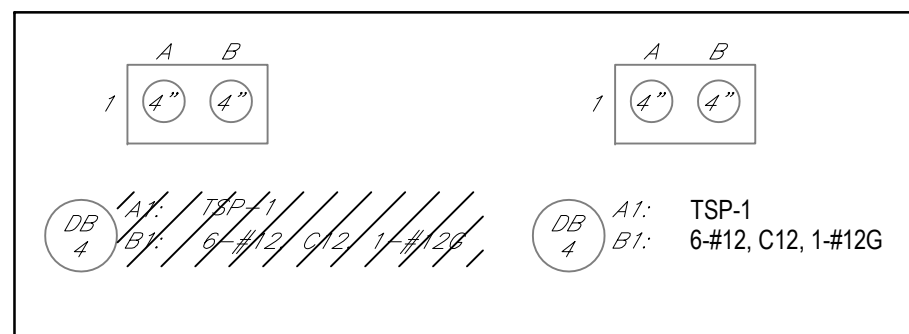
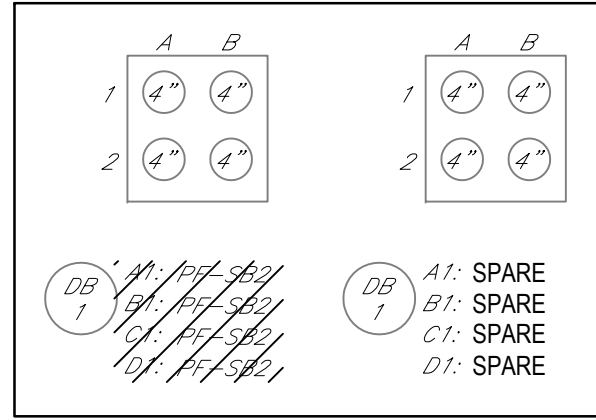
A separate RFP has been generated for the General Contractor to delete the work associated with the Biosolids Winch System. This RFP is issued to request the Electrical Contractor to provide a credit proposal for deletion of electrical work associated with the deletion of the Biosolids Winch System as indicated in the attached figure with red clouds. The figure indicates deletion of electrical work via cross hatching and/or notes on the figure. Proposal credit shall include all labor, materials and equipment that will have been required to perform the deleted work.

FIGURE RFP-089-1

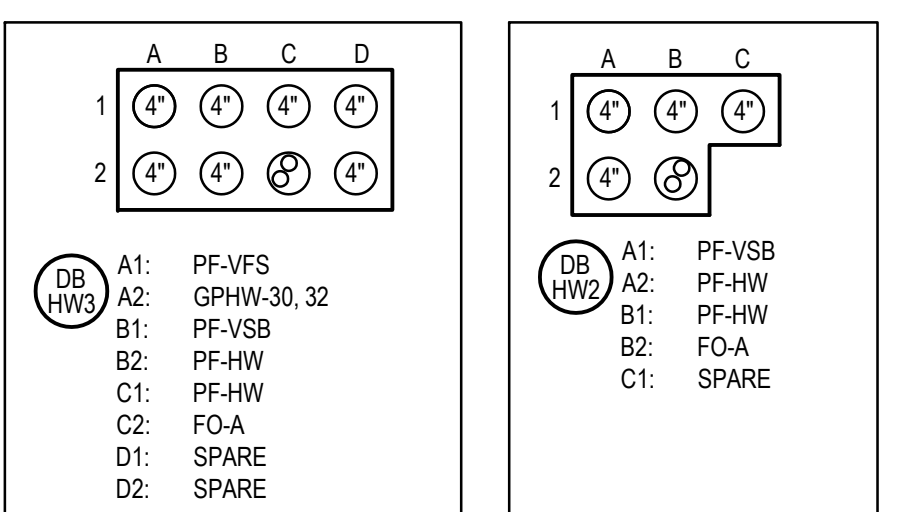
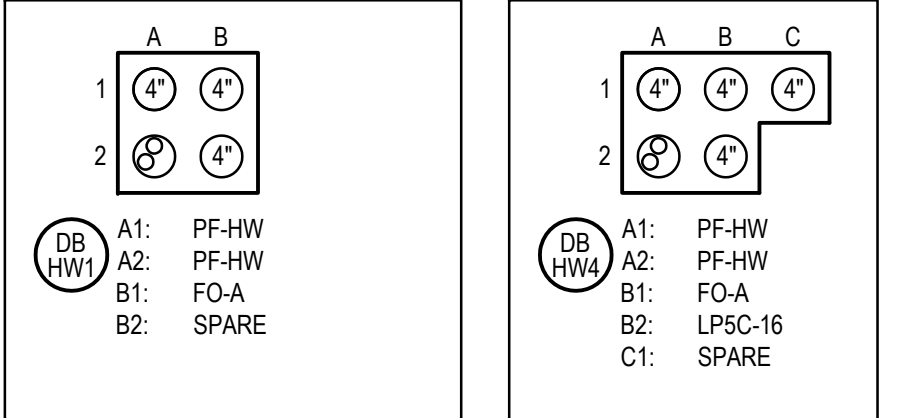
MEDIUM VOLTAGE PRIMARY SERVICE



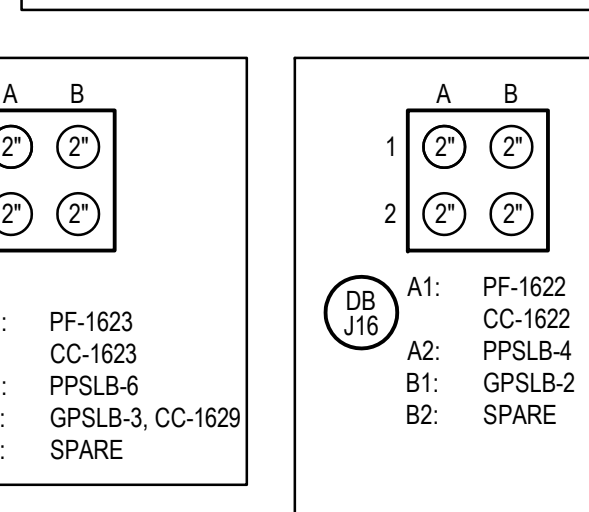
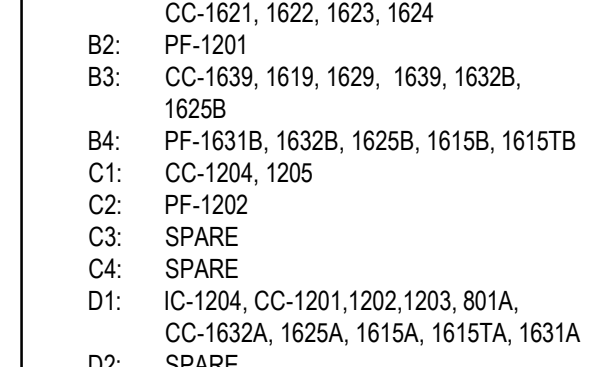
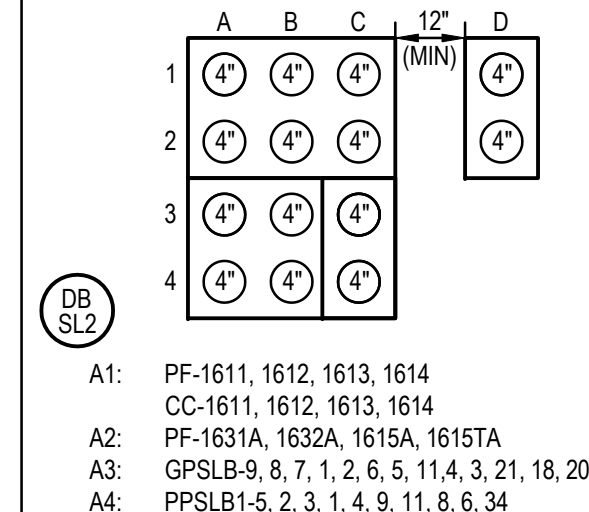
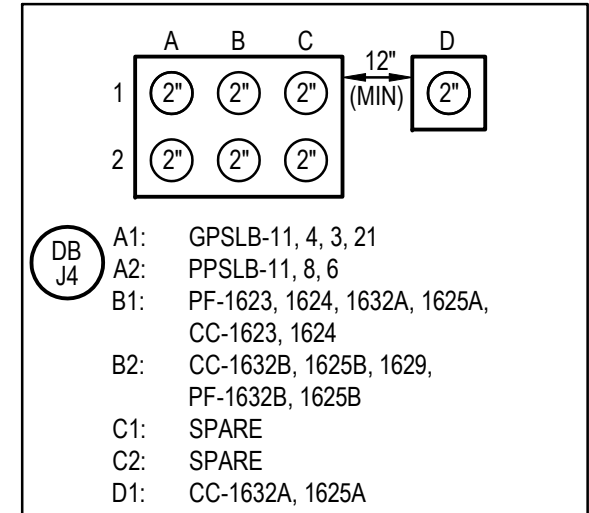
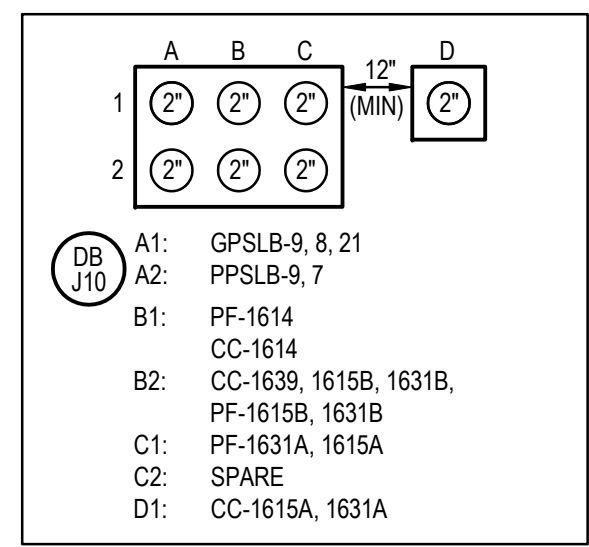
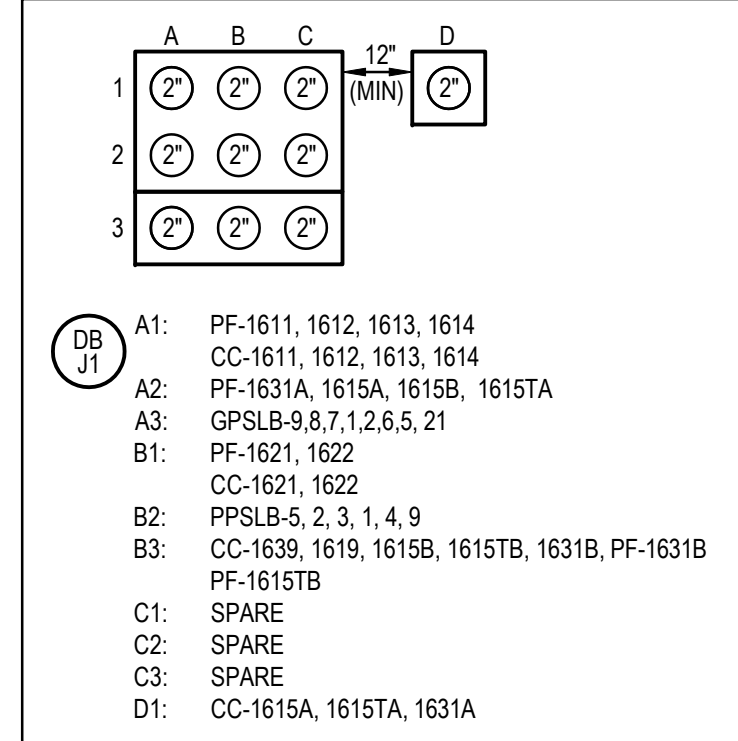
SLUDGE BUILDING



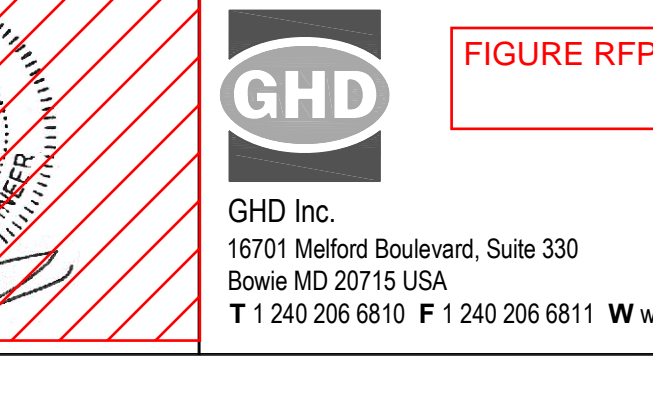
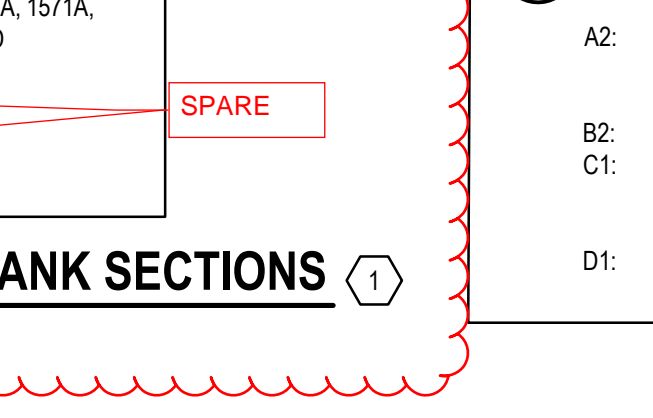
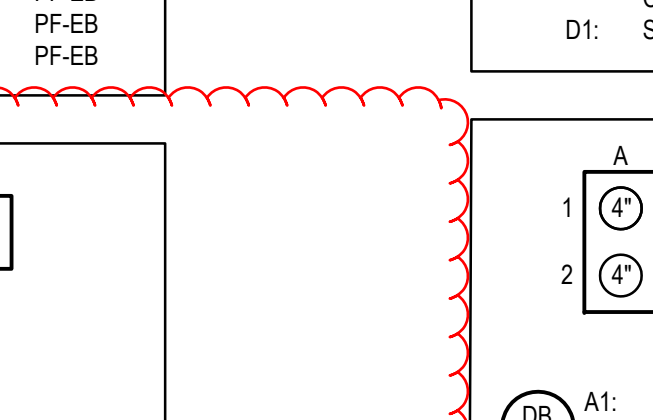
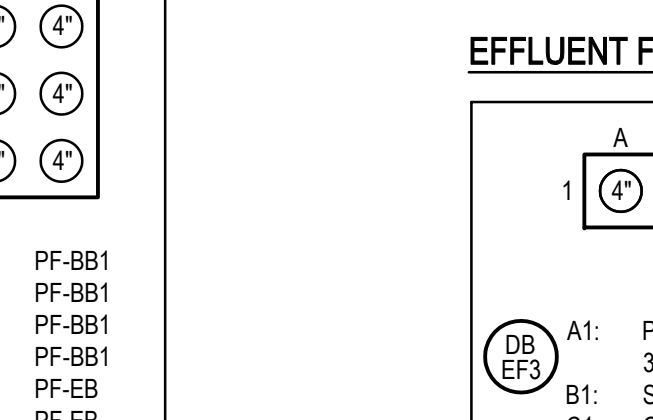
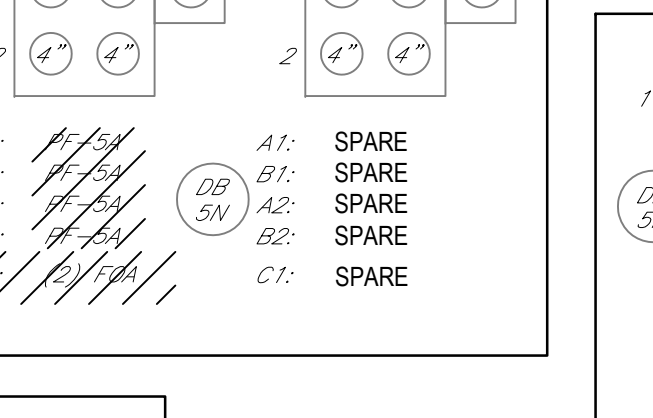
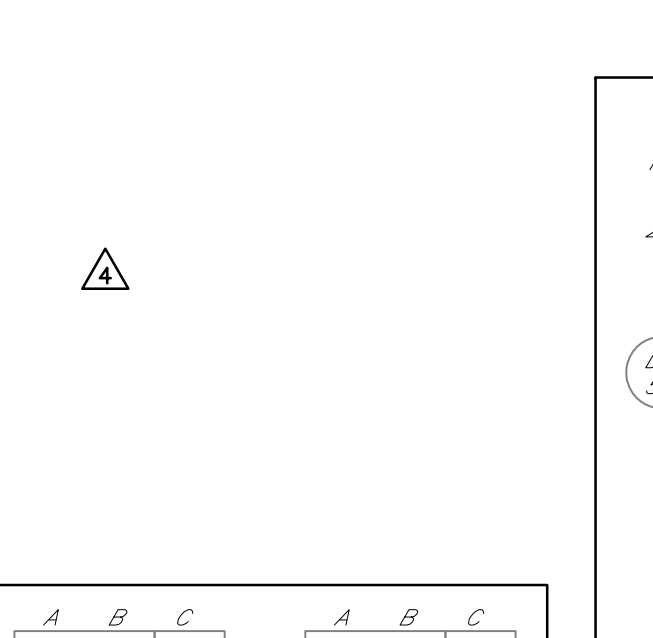
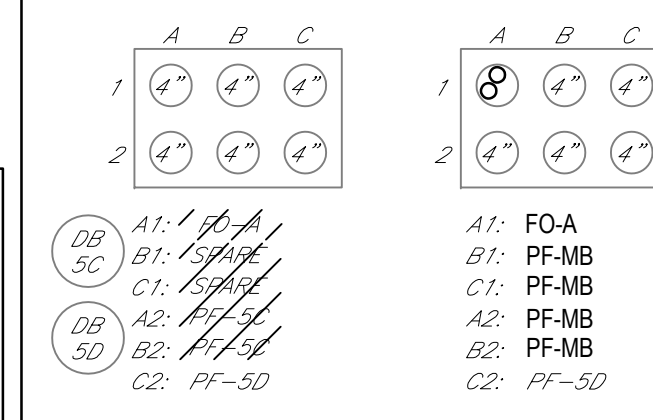
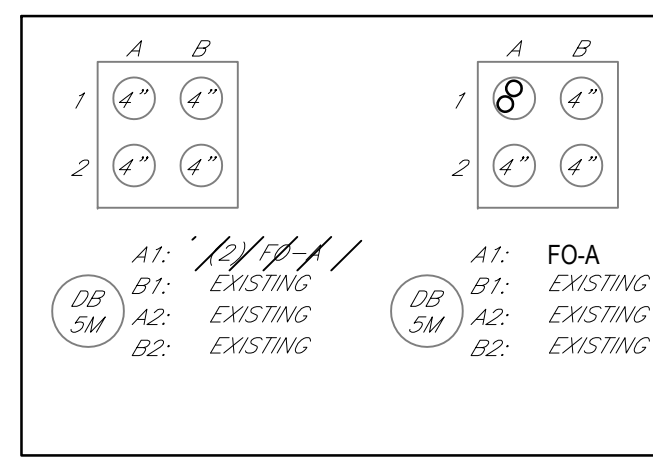
HEADWORKS



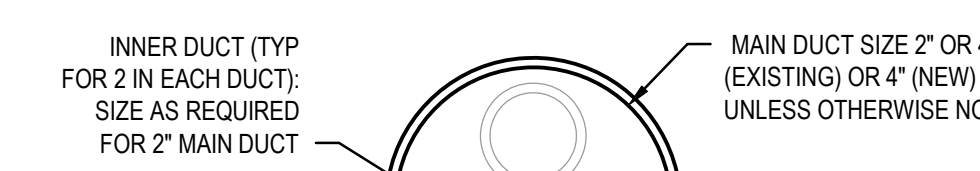
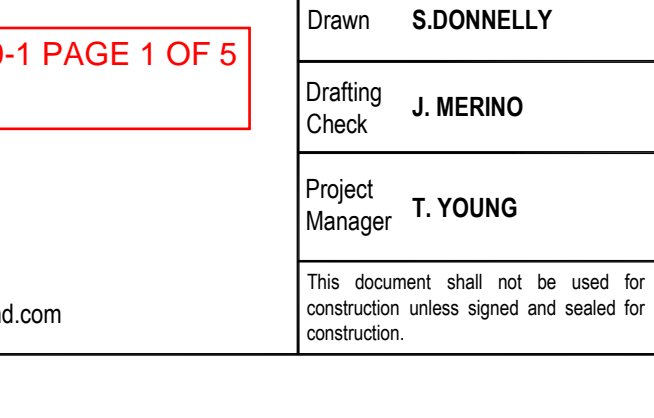
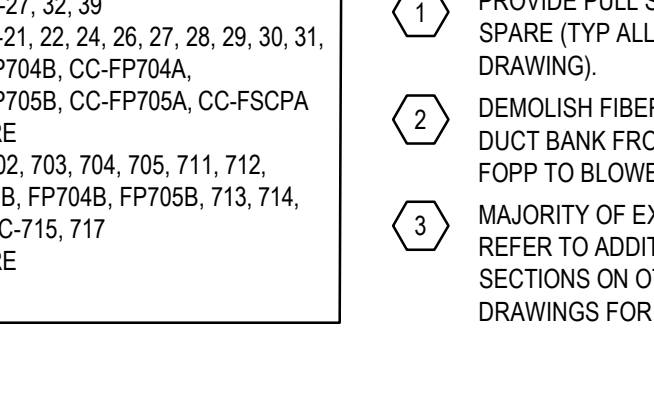
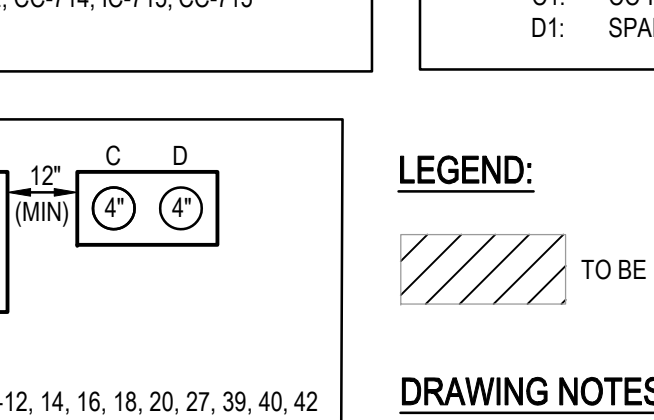
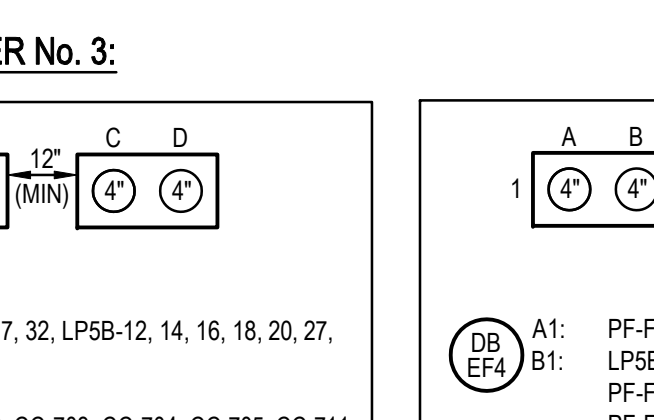
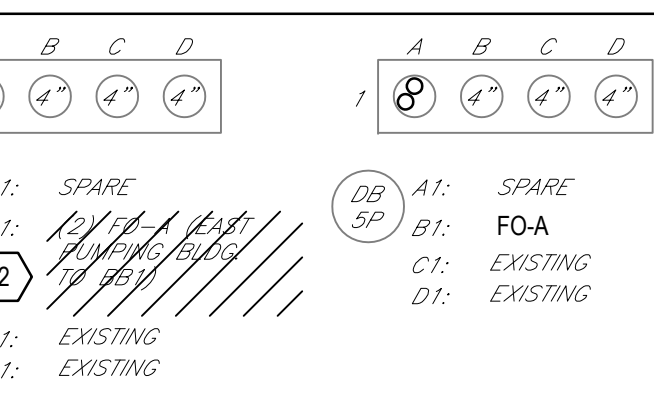
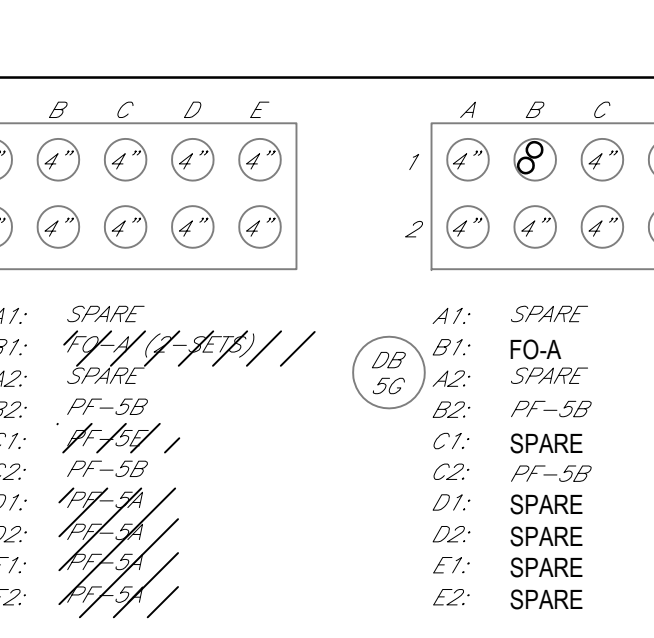
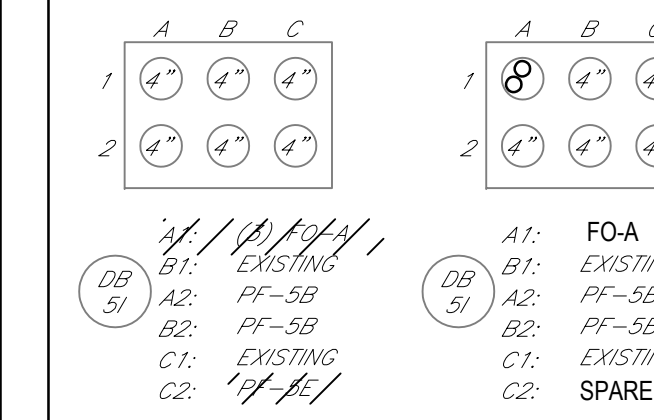
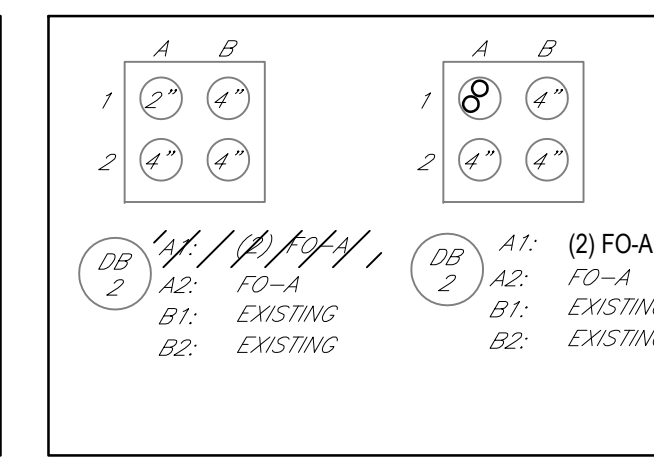
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EXISTING FIBER

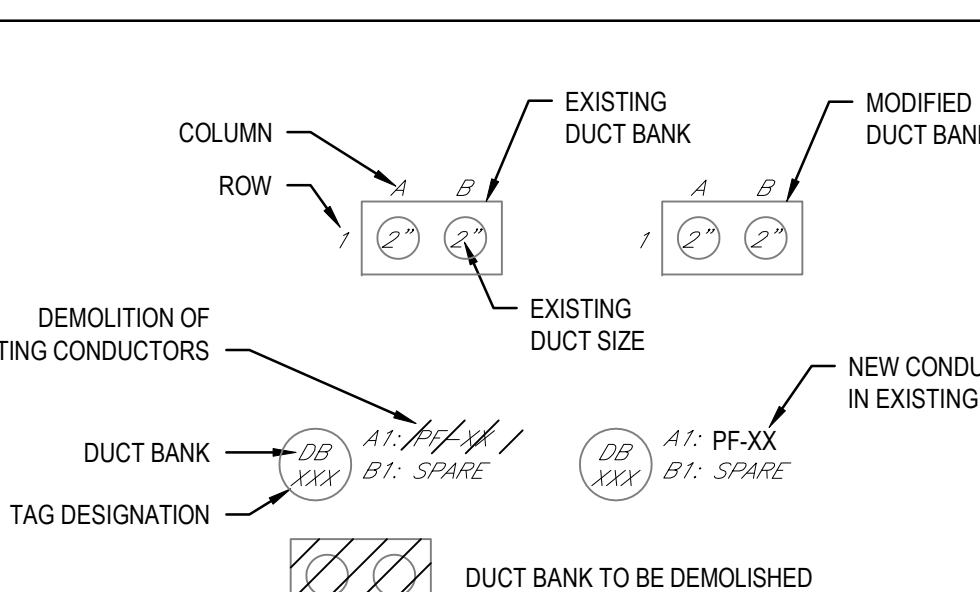


ELECTRICAL BUILDING/LOAD AREA 5



2 TYPICAL FIBER OPTIC DUCT DETAIL

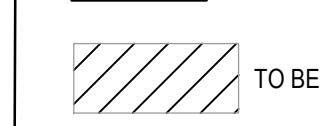
NTS



DUCT BANK TAGGING

NTS

LEGEND:



DRAWING NOTES:

- PROVIDE PULL STRING FOR ALL DUCTS NOTED AS SPARE (TYP ALL DUCTS NOTED AS SPARE THIS DRAWING).
- DEMOLISH FIBER OPTIC CABLES FROM EXISTING DUCT BANK FROM EAST SLUDGE PUMP BUILDING FOPP TO BLOWER BUILDING NO. 1.
- MAJORITY OF EXISTING FIBER DUCTS SHOWN. REFER TO ADDITIONAL FIBER DUCT BANK SECTIONS ON OTHER DUCT BANK SECTION DRAWINGS FOR ADDITIONAL SECTIONS.

1 DUCT BANK SECTIONS

SCALE: NTS

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<p>A CONFORMED PER APPENDIX NOS. 1-5</p>		LB	TAY	11/2019	<p>GHD Inc.</p> <p>16701 Melford Boulevard, Suite 330</p> <p>Bowie MD 20715 USA</p> <p>T 240 206 6810 F 240 206 6811 W www.ghd.com</p>		<p>Scale NOT TO SCALE</p>		<p>Sheet 231 of 442</p>	

CIRCUIT SCHEDULE				
CKT ID	CONDUCTORS	FROM	TO	EQUIPMENT/FUNCTION
NON-POTABLE WATER PUMP STATION				
PF-3501	3-#8,1-#10G (VFD CABLE)	NPW PUMP NPW-3501	MCC-5D	POWER FEEDERS - TYP FOR NPW-3502, NPW-3503
CC-3501	6-#14, 1-#12G	NPW PUMP NPW-3501	VFD CONTROL PANEL	CONTROL CIRCUIT -TYP FOR NPW-3502, NPW-3503
CC-3500	4-#14, 1-#12G	NPW PUMP STATION	PCS-5D	CONTROL CIRCUIT FLOAT LSL-3500, PRESSURE SWITCH PSH-3500
IC-3500	TSP-2	NPW PUMP STATION	PCS-5D	INSTRUMENTATION CIRCUIT PIT-3501, PIT-3502
SLUDGE BUILDING & LAGOONS A, B & C				
PF-SB	(4 SETS) 4-#350kcmil, 1-#3/0G	SWITCHBOARD SB-EPS (EFFLUENT PUMPING STATION)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER
PF-1615A	3-#10,1-#10G	LAGOON A DECANT PUMP DCP-1615 (480VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER FOR PUMP
PF-1615B	2-#12,1-#12G	LAGOON A DECANT PUMP LCP DCP-1615 (120VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	LCP CONTROL CIRCUIT 120VAC CKT
CC-1615A	10-#14, 1-#12G	LAGOON A DECANT PUMP LCP (24VDC CIRCUITS)	PSC-SLB	CONTROL CIRCUIT PCS CKTS
CC-1615B	10-#14, 1-#12G	LAGOON A DECANT PUMP LCP (120VAC CIRCUITS)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT 120VAC CKTS
PF-1615TA	3-#10,1-#10G	LAGOON A DECANT PUMP DCP-1615T(480VAC TEMPORARY CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER FOR PUMP
PF-1615TB	2-#12,1-#12G	LAGOON A DECANT PUMP LCP DCP-1615T(120VAC TEMPORARY CIRCUIT)	MCC-1B (SLUDGE BUILDING)	LCP CONTROL CIRCUIT POWER 120VAC CKT
CC-1615TA	10-#14, 1-#12G	LAGOON A DECANT PUMP LCP (24VDC CIRCUITS)	PSC-SLB	CONTROL CIRCUIT PCS CKTS
CC-1615TB	10-#14, 1-#12G	LAGOON A DECANT PUMP LCP (120VAC CIRCUITS)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT 120VAC CKTS
PF-1611	3-#8, 1-#10G	LAGOON A MIXER 1 MX-1611 (480VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER (TYP FOR PF-1612, 1613, 1614)
CC-1611	2-#14, 1-#12G	LAGOON A MIXER 1 MX-1611 (120VAC MWTS/SEAL CIRCUIT)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT MWTS/SEAL (TYP FOR CC-1612, 1613, 1614)
PF-1625A	3-#10,1-#10G	LAGOON B DECANT PUMP DCP-1625 (480VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER FOR PUMP
PF-1625B	2-#12,1-#12G	LAGOON B DECANT PUMP LCP DCP-1625 (120VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	LCP CONTROL CIRCUIT POWER 120VAC CKT
CC-1625A	10-#14, 1-#12G	LAGOON B DECANT PUMP LCP (24VDC CIRCUITS)	PSC-SLB	CONTROL CIRCUIT PCS CKTS
CC-1625B	10-#14, 1-#12G	LAGOON B DECANT PUMP LCP (120VAC CIRCUITS)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT 120VAC CKTS
PF-1621	3-#8, 1-#10G	LAGOON B MIXER 1 MX-1621 (480VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER (TYP FOR PF-1622, 1623, 1624)
CC-1621	2-#14, 1-#12G	LAGOON B MIXER 1 MX-1621 (120VAC MWTS/SEAL CIRCUIT)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT MWTS/SEAL (TYP FOR CC-1622, 1623, 1624)
PF-1631A	3-#10,1-#10G	LAGOON C DECANT PUMP DCP-1631 (480VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER FOR PUMP
PF-1631B	2-#12,1-#12G	LAGOON C DECANT PUMP LCP DCP-1631 (120VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	LCP CONTROL CIRCUIT POWER 120VAC CKT
CC-1631A	10-#14, 1-#12G	LAGOON C DECANT PUMP LCP (24VDC CIRCUITS)	PSC-SLB	CONTROL CIRCUIT PCS CKTS
CC-1631B	10-#14, 1-#12G	LAGOON C DECANT PUMP LCP (120VAC CIRCUITS)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT 120VAC CKTS
PF-1632A	3-#10,1-#10G	LAGOON C DECANT PUMP DCP-1632 (480VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER
PF-1632B	2-#12,1-#12G	LAGOON C DECANT PUMP LCP DCP-1632 (120VAC CIRCUIT)	MCC-1B (SLUDGE BUILDING)	LCP CONTROL CIRCUIT POWER 120VAC CKT
CC-1632A	10-#14, 1-#12G	LAGOON C DECANT PUMP LCP (24VDC CIRCUITS)	PSC-SLB	CONTROL CIRCUIT
CC-1632B	10-#14, 1-#12G	LAGOON C DECANT PUMP LCP (120VAC CIRCUITS)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUIT
CC-1619	2-#14, 1-#12G	LAGOON A FLOAT LSH-1619 (120VAC CIRCUIT)	PSC-SLB	CONTROL CIRCUIT
CC-1629	2-#14, 1-#12G	LAGOON B FLOAT LSH-1629 (120VAC CIRCUIT)	PSC-SLB	CONTROL CIRCUIT
CC-1639	2-#14, 1-#12G	LAGOON C FLOAT LSH-1639 (120VAC CIRCUIT)	PSC-SLB	CONTROL CIRCUIT
JET PUMPING STATION				
PF-1201	3-#2, 1-#8G (VFD CABLE)	JET PUMP JP-1201 (480VAC)	MCC-1B (SLUDGE BUILDING)	POWER FEEDERS TYP OF PF-1202
CC-1201	4-#14, 1-#12G	JET PUMP JP-1201 MWTS AND SEAL (12VDC INTERFACE RELAY)	PSC-SLB	CONTROL CIRCUITS (TYP FOR CC-1202); MWTS/SEAL
CC-1203	2-#14, 1-#12G	JET PUMPING STATION HIGH LEVEL FLOAT SWITCH (24VDC)	PCS-SLB	CONTROL CIRCUIT, FLOAT
CC-1204	2-#14, 1-#12G	JET PUMPING STATION DS SWITCH (120VAC)	VFD CONTROL PANEL	CONTROL CIRCUIT (TYP FOR CC-1205); AUX DS INTERLOCK
CC-801A	12-#14, 1-#12G	JET PUMPING STATION SLIDE GATE (24VDC)	PCS-SLB	CONTROL CIRCUIT
IC-1204	TSP-1	JET PUMPING STATION HIGH LEVEL LEVEL TRANSMITTER	PCS-SLB	INSTRUMENTATION CIRCUIT LE/LIT-551
LTS DIGESTER BUILDING (LTS)				
PF-LTS	4-#250kcmil, 1-#4G	SWITCHBOARD SB-EPS (EFFLUENT PUMPING STATION)	PANELBOARD PPLTS	POWER FEEDER
CC-310	2-#14, 1-#12G	FLOAT IN LTS BASINS	PCS-LTS	CONTROL CIRCUITS (TYP FOR CC-311)

CIRCUIT SCHEDULE				
CKT ID	CONDUCTORS	FROM	TO	EQUIPMENT/FUNCTION
STATE COMMUNICATIONS TOWER				
PF-SCT1	2-#250kcmil, 1-#4G	SWITCHBOARD SB-EPS (EFFLUENT PUMPING STATION)	STATE COMMUNICATIONS TOWER TRANSFORMER GT-SCT	POWER FEEDER, SINGLE PHASE
PF-SCT2	(2 SETS) 3-#3/0, 1-#4G	STATE COMMUNICATIONS TOWER TRANSFORMER SCT	STATE COMMUNICATION TOWER 400AT MAIN CIRCUIT BREAKER PANEL	POWER FEEDER, SINGLE PHASE
RETURN SLUDGE BUILDING NO. 2				
PF-RS2	4-#350kcmil, 1-#2G	SWITCHBOARD SB-EPS (EFFLUENT PUMPING STATION)	MCC-RSB2 (RETURN SLUDGE BUILDING NO. 2)	POWER FEEDER
EFFLUENT FILTER NO. 2				
CC-701	12-#14, 1-#12G	WEIR GATE WG-701	PCS-5A	CONTROL CIRCUIT
CC-721, 722	4-#12, 1-#12G	FLOAT SWITCHES LSHH-721 AND LSHH-722	PCS-BB1	INSTRUMENTATION CIRCUIT
IC-720	TSP-1	LEVEL TRANSMITTER LE/LIT-720	PCS-BB1	INSTRUMENTATION CIRCUIT
EFFLUENT FILTER NO. 3				
PF-FP704A	3-#10,1-#10G	FILTER WASTE PUMP FP-704 (480VAC POWER)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	POWER FEEDER
PF-FP704B	2-#12,1-#12G	FILTER WASTE PUMP LCP CONTROL POWER (120VAC)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	POWER FEEDER (120VAC CONTROL POWER)
PF-FP705A	3-#10,1-#10G	FILTER WASTE PUMP FP-705 (480VAC POWER)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	POWER FEEDER
PF-FP705B	2-#12,1-#12G	FILTER WASTE PUMP LCP CONTROL POWER (120VAC)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	POWER FEEDER (120VAC CONTROL POWER)
CC-FP704A	8-#14, 1-#12G	FILTER WASTE PUMP CONTROL PANEL FP-704 (120VAC)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-FP704B	8-#14, 1-#12G	FILTER WASTE PUMP CONTROL PANEL FP-704 (24VDC)	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-FP705A	8-#14, 1-#12G	FILTER WASTE PUMP CONTROL PANEL FP-705 (120VAC)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-FP705B	8-#14, 1-#12G	FILTER WASTE PUMP CONTROL PANEL FP-705 (24VDC)	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-FSCPA	8-#14, 1-#12G	FLOAT SWITCH CONTROL PANEL (120VAC)	MCC-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-FSCPB	6-#14, 1-#12G	FLOAT SWITCH CONTROL PANEL (24VDC)	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-702	12-#14, 1-#12G	WG-702 ACTUATOR	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-703	12-#14, 1-#12G	WG-703 ACTUATOR	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-704	12-#14, 1-#12G	WG-704 ACTUATOR	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-705	12-#14, 1-#12G	WG-705 ACTUATOR	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-711	2-#14, 1-#12G	FLOAT SWITCH FE-711	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-712	2-#14, 1-#12G	FLOAT SWITCH FE-712	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-713	2-#14, 1-#12G	FLOAT SWITCH FE-713	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
CC-714	2-#14, 1-#12G	FLOAT SWITCH FE-714	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	CONTROL CIRCUIT
IC-717	TSP-1	LEVEL TRANSMITTER LE/LIT-717	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	INSTRUMENTATION CIRCUIT (TYP FOR CC-715)
CC-715	2-#14, 1-#12G	LEVEL TRANSMITTER LE/LIT-715	PCS-5B (RETURN SLUDGE BLDG. NO. 1)	INSTRUMENTATION CIRCUIT
HEADWORKS				
PF-HW	(2 SETS) 4-#350kcmil, 1-#1G	MCC-MB (MECHANICAL BUILDING)	MCC-HW (HEADWORKS BUILDING)	POWER FEEDER
CAKE STORAGE BUILDING (ADJACENT TO SLUDGE BUILDING)				
PF-BC2A	2-#12, 1-#12G	DEWATERED SLUDGE CONVEYOR BC-2; SST-1555 (120VAC)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER
CC-BC2	8-#14, 1-#12G	DEWATERED SLUDGE CONVEYOR BC-2; PULL CORDS, SST-1555, & CS (120VAC)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUITS
PF-1571	3-#12, 1-#12G	DEWATERED SLUDGE CONVEYOR BC-2; POWER (480VAC)	MCC-1B (SLUDGE BUILDING)	POWER FEEDERS
PF-1571A	2-#12, 1-#12G	DEWATERED SLUDGE CONVEYOR BC-2; ZST-1574 (120VAC)	MCC-1B (SLUDGE BUILDING)	POWER FEEDER
CC-1571	2-#14, 1-#12G	REVERSING SCREW CONVEYOR CNV-1571; PULL CORDS, ZST-1574, CS, MWTS (120VAC)	MCC-1B (SLUDGE BUILDING)	CONTROL CIRCUITS
PF-AUD	2-#12, 1-#12G	AUDIBLE/VISUAL ALARM PANEL NO. 5 (120VAC)	CONVEYOR SYSTEM CONTROL PANEL (SLUDGE BUILDING)	POWER FEEDER
CC-AUD	2-#14, 1-#12G	AUDIBLE/VISUAL ALARM PANEL NO. 5 (120VAC)	CONVEYOR SYSTEM CONTROL PANEL (SLUDGE BUILDING)	CONTROL CIRCUITS
CC-BIO	3-#14, 1-#12G	BIO-SOLIDS CONTAINER WINCH MCP; WINCH MCP BIN SELECT AUTOMATIC CS, LS-1571A, LS-1571B (24VDC)	CONVEYOR SYSTEM CONTROL PANEL (SLUDGE BUILDING)	CONTROL CIRCUITS
VEHICLE STORAGE BUILDING				
PF-VSB	4-#3, 1-#8G	MCC-HW	VEHICLE STORAGE BUILDING PANELBOARD PPVSB	POWER FEEDER

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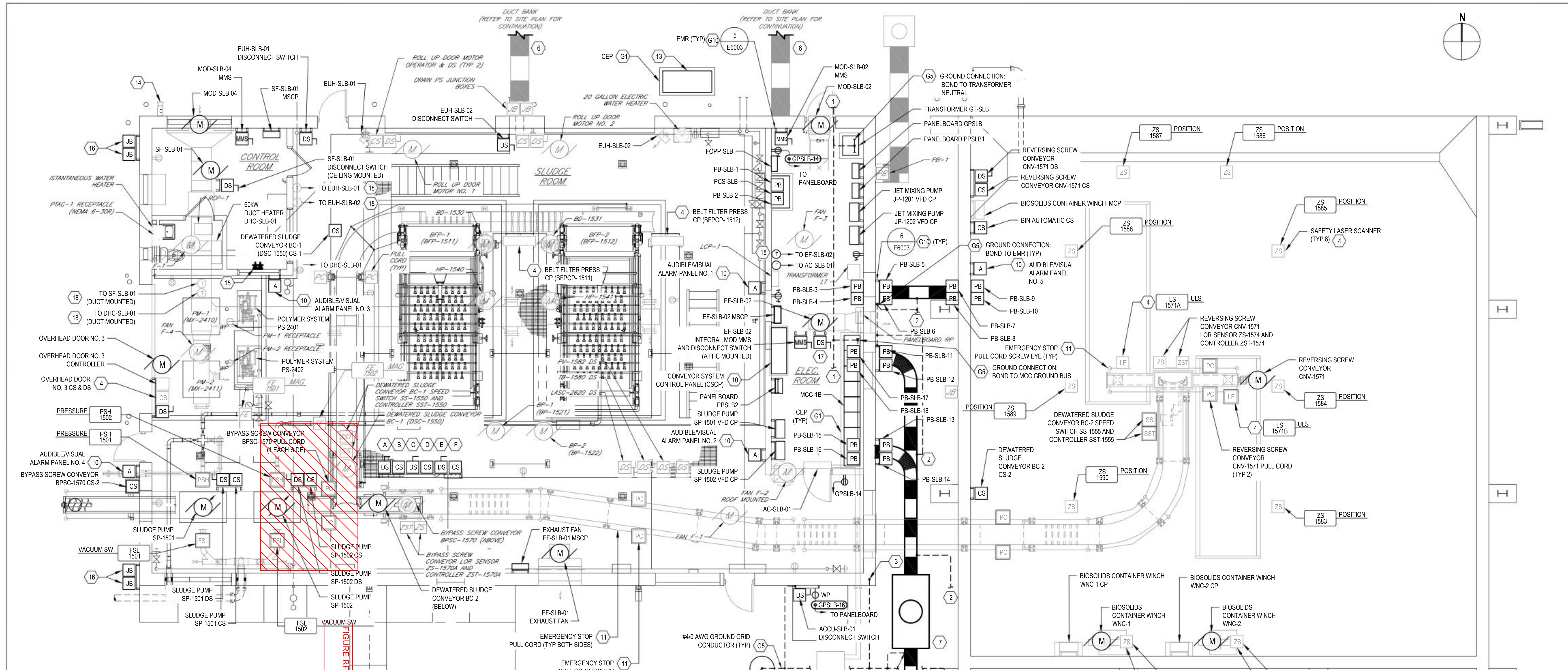
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FIGURE RFP-089-1 PAGE 2 OF 5

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Drafting Check	J. MERINO	Design Check	R. CARDINAL
Project Manager	T. YOUNG	Date	08/2019
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Project	SCRWF NO. 3 AND RBWWTP CIP PHASE 2 UPGRADES
Title	CIRCUIT SCHEDULE 3
Project No.	11121182
Original Size	ANSI D
Sheet No.	SC-E0016
Sheet	236 of 442



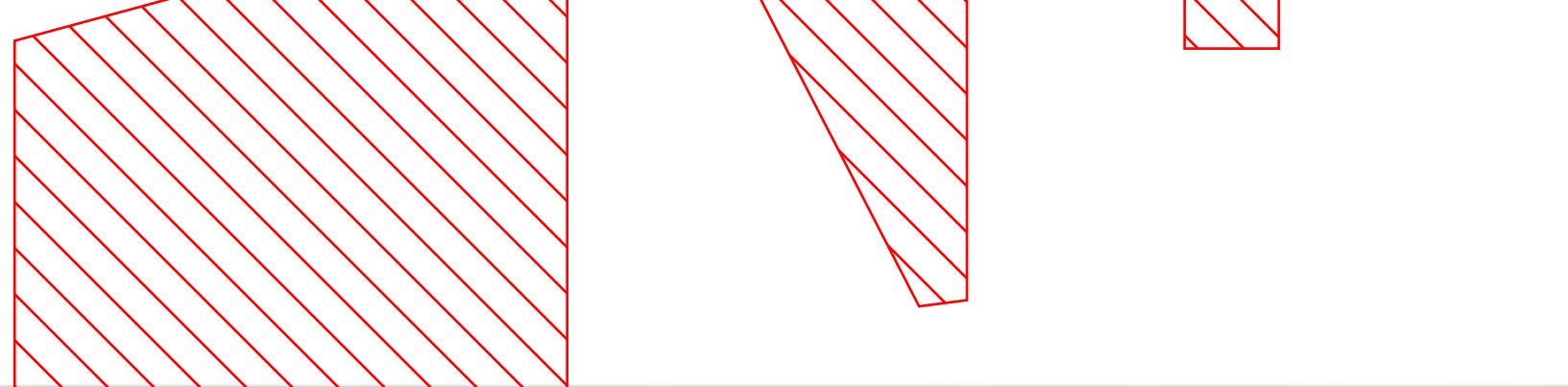
EQUIPMENT SCHEDULE:

- A BYPASS SCREW CONVEYOR BPCS-1570 DS
- B BYPASS SCREW CONVEYOR BPCS-1570 CS-1
- C DEWATERED SLUDGE CONVEYOR BC-1 (DSC-1550) DS
- D DEWATERED SLUDGE CONVEYOR BC-1 (DSC-1550) CS-2
- E DEWATERED SLUDGE CONVEYOR BC-2 DS
- F DEWATERED SLUDGE CONVEYOR BC-2 CS-1

FIGURE REF-089-1 PAGE 3 OF 5

1 SLUDGE BUILDING - POWER AND CONTROL PLAN MODIFICATIONS

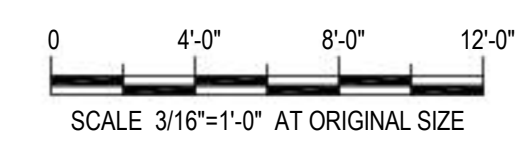
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DRAWING NOTES:

- 1 CONNECT TO EXISTING GROUNDING GRID OR BUILDING STEEL.
- 2 CONNECT TO GROUND GRID.
- 3 CONNECT GROUNDING GRID TO EXISTING BUILDING STRUCTURAL STEEL.
- 4 PROVIDED BY GENERAL CONTRACTOR.
- 5 CEP MODIFICATIONS: EXISTING CEP TO REMAIN. CUT AND CHAMFER FRONT AND SIDE EDGES 4" FROM FRONT OF CEP.
- 6 DUCT BANK TO BE REUSED. REFER TO DUCT BANK SECTIONS FOR MORE INFORMATION.
- 7 REFER TO PARTIAL ELECTRICAL SITE PLAN - WEST FOR MANHOLE IDENTIFICATION.
- 8 PROVIDE WEATHERPROOF STROBE LIGHTS FOR ALL INTERIOR AND EXTERIOR LOCATIONS.
- 9 REMOVE TEMPORARY CONVEYOR OR ASSOCIATED TEMPORARY CONDUITS AND CIRCUITS WHEN PERMANENT SYSTEM IS FUNCTIONAL.
- 10 EQUIPMENT MOUNTED MINIMUM 4 FEET FROM GRATING TO BOTTOM OF PANEL.
- 11 CORD AND INSTRUMENTS FURNISHED AND INSTALLED BY GENERAL CONTRACTOR.
- 12 GROUND CONNECTION: BOND TO DUCT BANK.
- 13 CONTRACTOR SHALL PROVIDE TEMPORARY ENCLOSURE TO HOUSE TP2 FOR PROVIDING POWER TO COUNTY'S PORTABLE DEWATERING EQUIPMENT. MOUNT ENCLOSURE ON CEP. CEP TO BE PROVIDED BY GENERAL CONTRACTOR. LOCATION OF ENCLOSURE IS APPROXIMATE. COORDINATE FINAL LOCATION OF ENCLOSURE WITH COUNTY DURING CONSTRUCTION. DEMOLISH ENCLOSURE, CEP AND TEMPORARY FEEDER WHEN WORK IS COMPLETE, AND RESTORE SURFACE TO ORIGINAL CONDITION. ENCLOSURE SHALL MEET COUNTY'S REQUIREMENTS FOR PUMP CONTROL PANEL. SEE SPECIFICATIONS FOR ADDITIONAL DETAILS. TURN OVER ENCLOSURE AND TP2 TO COUNTY WHEN WORK IS COMPLETE. PROVIDE NAMEPLATE ON ENCLOSURE AS FOLLOWS:
 - SLUDGE BUILDING TEMPORARY POWER ENCLOSURE
 - PORTABLE DEWATERING UNIT POWER
 - CAUTION: 480VAC
 - DISCONNECT: TP2 MCB INSIDE ENCLOSURE
 - FED FROM: SLUDGE BUILDING MCC
- 14 CONNECT EXISTING CAMERA TO PCS-SLB.
- 15 PROVIDE WALL MOUNTED DATA JACKS FOR CONNECTION OF EXISTING PHONE AND PC TO NEW PCS-SLB. COORDINATE LOCATIONS OF WALL JACKS WITH COUNTY.
- 16 JUNCTION BOXES FOR FUTURE CAMERA INSTALLATION. MOUNT JBS APPROXIMATELY 25 FEET ABOVE GRADE OR AS HIGH AS PRACTICAL. COORDINATE FINAL LOCATIONS WITH COUNTY. PROVIDE NAMEPLATES FOR JBS AS FOLLOWS:
 - "CAT 6 CABLE - CAMERA"
 - "GP POWER CIRCUIT - CAMERA"
- 17 DISCONNECT SWITCH FOR EF-SLB-02 TO BE ROOF MOUNTED.
- 18 THERMOSTAT FURNISHED BY GENERAL CONTRACTOR. INSTALLED BY CONTRACTOR.

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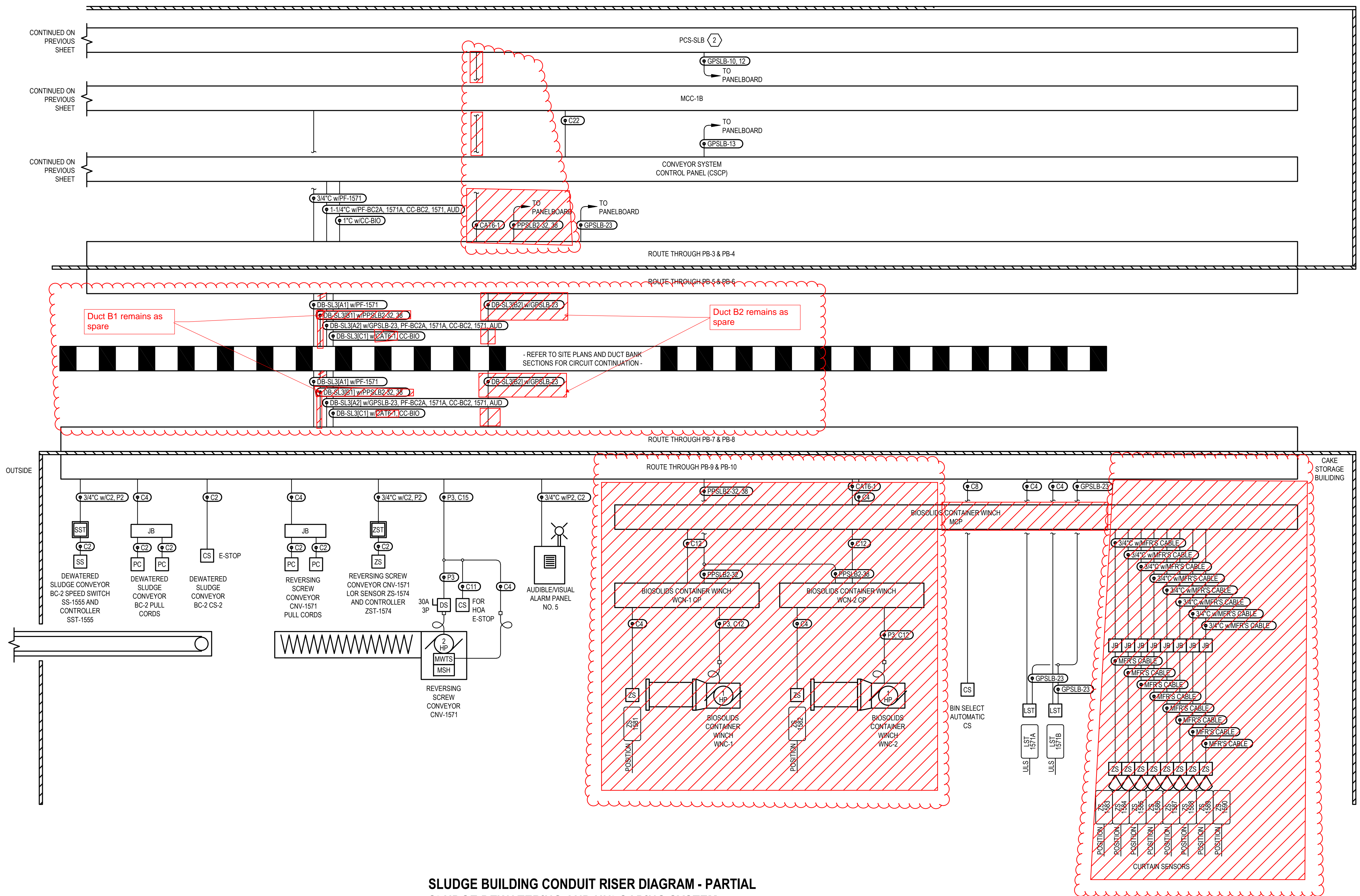


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Project Manager	T. YOUNG	Date	08/2019
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Client	SUSSEX COUNTY, DELAWARE
Project	SCRWF NO. 3 AND RBWWTP CIP PHASE 2 UPGRADES
Title	SLUDGE BUILDING - POWER AND CONTROL PLAN MODIFICATIONS
Project No.	11121182
Original Size	ANSI D
Sheet No.	SC-E2202
Sheet	320 of 442



1 SLUDGE BUILDING CONDUIT RISER DIAGRAM - PARTIAL
SLUDGE DEWATERING AND UNLOADING SYSTEM

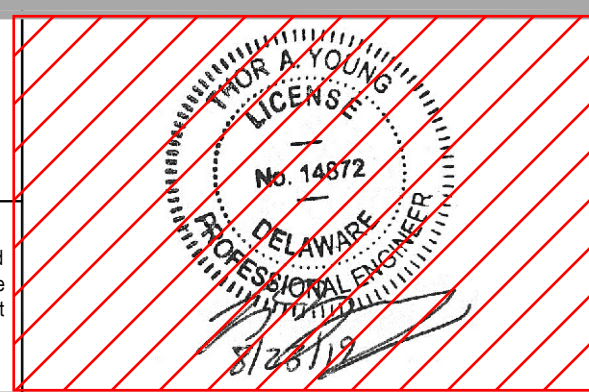
SCALE: NTS

- DRAWING NOTES:**
- 1 PROVIDE NEW CONDUCTORS IN EXISTING CONDUIT.
 - 2 ROUTE CIRCUITS THROUGH PCS PULL BOXES. PULL BOXES NOT SHOWN FOR BREVITY.

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FIGURE RFP-089-1 PAGE 4 OF 5

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Title	SLUDGE BUILDING - CONDUIT RISER DIAGRAM 4		
Project No.	11121182		
Original Size	ANSI D	Sheet No.	SC-E2208
Sheet	326	of	442

SLUDGE BUILDING

SLUDGE BUILDING

PANELBOARD PPSLB1																		
LOCATION: SLUDGE BUILDING - ELECTRICAL ROOM					FED FROM: MCC-1B													
MAIN BUS RATING: 100A, 480/277V, 3P, 4W					ESTIMATED CONNECTED LOAD: 82kVA													
MINIMUM SHORT-CIRCUIT INTERRUPTION RATING: 35kAIC					INCOMING FEED: REFER TO ONE-LINE DIAGRAM													
MAIN BREAKER TRIP: MAIN LUG ONLY					ENCLOSURE: NEMA 12													
NOTES: SEE PANELBOARD SCHEDULE NOTES					TVSS/SURGE PROTECTION: INTEGRAL TO PANELBOARD													
DESCRIPTION	NOTES	LOAD	CONDUIT SIZE	Φ/N SIZE	G SIZE	CB	CKT	A	B	C	CKT	CB	CONDUIT SIZE	Φ/N SIZE	G SIZE	LOAD	NOTES	DESCRIPTION
LIGHTING - LAGOON A		10, 15	250W	3/4"	12	12	15A/1P	1	2			15A/1P	3/4"	12	12	250W	10, 15	LIGHTING - LAGOON B
LIGHTING - LAGOON A		10, 15	250W	3/4"	12	12	15A/1P	3	4			15A/1P	3/4"	12	12	250W	10, 15	LIGHTING - LAGOON B
LIGHTING - LAGOON A		10, 15	250W	3/4"	12	12	15A/1P	5	6			15A/1P	3/4"	12	12	250W	10, 15	LIGHTING - LAGOON B
LIGHTING - LAGOON A		10, 15	250W	3/4"	12	12	15A/1P	7	8			15A/1P	3/4"	12	12	250W	10, 15	LIGHTING - LAGOON B
LIGHTING - LAGOON C		10, 15	250W	3/4"	12	12	15A/1P	9	10			15A/1P	3/4"	12	12	141kW	5	LIGHTING - WALLPACKS
LIGHTING - LAGOON C		10, 15	250W	3/4"	12	12	15A/1P	11	12			15A/1P	3/4"	12	12	1.23kW	5	LIGHTING - SLUDGE ROOM
EF-SLB-01 MSCP		8	1HP	3/4"	12	12	15A/3P	15	16			15A/3P	3/4"	12	12	1HP		ROLL UP DOOR NO. 3
EF-SLB-02 MSCP		8	1.5HP	3/4"	12	12	15A/3P	17	18			15A/3P	3/4"	12	12	3HP	15	ROLL UP DOOR NO. 1
TRANSFORMER GT-SLB			30kVA	1 1/4"	6	8	60A/3P	25	26			15A/3P	3/4"	12	12	3HP	15	ROLL UP DOOR NO. 2
LIGHTS - ELECTRICAL RM		15	472W	3/4"	12	12	20A/1P	27	28			20A/1P	3/4"	10	12	1.5kW	5, 10, 15	LIGHTS-CAKE STORAGE BLDG
LIGHTS - EXTERIOR		15	1.75kW	3/4"	10	10	20A/1P	29	30			15A/3P	3/4"	12	12	1/2HP		SLIDE GATE SG-108
EUH-SLB-01		8	10kW	3/4"	12	12	20A/3P	31	32			20A/1P	3/4"	12	12	2kW	5, 15	LIGHTS-SLUDGE RM CR #1
LIGHTS-CONTROL RM/LAV		5, 15	35kW	3/4"	12	12	20A/1P	33	34			20A/1P	3/4"	12	12	1.75kW	5, 15	LIGHTS-SLUDGE RM CR #2
EUH-SLB-02		8	10kW	3/4"	12	12	20A/3P	35	36			25A/3P	3/4"	10	10	5kW	8, 15	AC-1
SF-SLB-01 MSCP		8	1.5HP	3/4"	12	12	15A/3P	41	42									SPACE
								43	44									SPACE

PANELBOARD GPSLB																		
LOCATION: SLUDGE BUILDING ELECTRICAL ROOM					FED FROM: XFMR GT-SLB													
MAIN BUS RATING: 100A, 208/120V, 3PH, 4W					ESTIMATED CONNECTED LOAD: 14kVA													
MINIMUM SHORT-CIRCUIT INTERRUPTION RATING: 22kAIC					INCOMING FEED: REFER TO ONE-LINE DIAGRAM													
MAIN BREAKER TRIP: 100AT					ENCLOSURE: NEMA 12													
NOTES: SEE PANELBOARD SCHEDULE NOTES					TVSS/SURGE PROTECTION: INTEGRAL TO PANELBOARD													
LAGOON B WALKWAY REC		3, 10, 15	18kVA	3/4"	12	12	15A/1P	1	2			15A/1P	3/4"	12	12	18kVA	3, 10, 15	LAGOON B WALKWAY REC 2
LAGOON B WALKWAY REC		3, 10, 15	18kVA	3/4"	12	12	15A/1P	3	4			15A/1P	3/4"	12	12	18kVA	3, 10, 15	LAGOON B WALKWAY REC 2
LAGOON A WALKWAY REC		3, 10, 15	18kVA	3/4"	12	12	15A/1P	5	6			15A/1P	3/4"	12	12	18kVA	3, 10, 15	LAGOON A WALKWAY REC 2
LAGOON A WALKWAY REC		3, 10, 15	18kVA	3/4"	12	12	15A/1P	7	8			15A/1P	3/4"	12	12	18kVA	3, 10, 15	LAGOON A WALKWAY REC 2
LIGHTS - LAGOON B		3, 10, 15	18kVA	3/4"	12	12	15A/1P	9	10			20A/1P	3/4"	12	12	18kVA		POS CABINET SLB CKT NO. 1
LIGHTS - LAGOON B		3, 10, 15	18kVA	3/4"	12	12	15A/1P	11	12			20A/1P	3/4"	12	12	18kVA		POS CABINET SLB CKT NO. 2
LIGHTS - LAGOON B		3, 10, 15	18kVA	3/4"	12	12	15A/1P	13	14			15A/1P	3/4"	12	12			RECEPTACLES - ELECTRICAL RM
LIGHTS - LAGOON B		3, 10, 15	18kVA	3/4"	12	12	15A/1P	15	16			20A/1P	3/4"	12	12			RECEPTACLES - OUTDOORS
ACCUIAC-SLB-01		8	4.8kW	3/4"	10	10	25A/2P	17	18			15A/1P	3/4"	12	12	1/3HP	3, 10	SUMP PUMP SP-16 - JMS VALVE VAULT
HEAT TRACE-LAGOON C WEST/EAST		10, 11		3/4"	12	12	15A/1P	19	20			20A/1P	3/4"	12	12	1kVA	10	LIT-1204
LIT-1517A & 1517B (CAKE BLDG)		10, 11	2kVA	3/4"	12	12	15A/1P	21	22			20A/1P	3/4"	12	12	0.2 kVA		CSCP CKT#2
SPACE								23	24			20A/1P						SPACE
SPACE								25	26			20A/1P						SPACE
SPACE								27	28			20A/1P						SPACE
SPACE								29	30			20A/1P						SPACE
SPACE								31	32			20A/1P						SPACE
SPACE								33	34			20A/1P						SPACE
SPACE								35	36			20A/1P						SPACE
SPACE								37	38			20A/1P						SPACE
SPACE								39	40			20A/1P						SPACE
SPACE								41	42			20A/1P						SPACE

PANELBOARD RP																		
LOCATION: SLUDGE BUILDING - ELECTRICAL ROOM					FED FROM: TRANSFORMER LT 3													
MAIN BUS RATING: 100A, 120/208V, 3PH, 4W					ESTIMATED CONNECTED LOAD: EXISTING													
MINIMUM SHORT-CIRCUIT INTERRUPTION RATING: 10kAIC					INCOMING FEED: REFER TO ONE-LINE DIAGRAM													
MAIN BREAKER TRIP: MAIN LUG ONLY					ENCLOSURE: NEMA 12													
NOTES: SEE PANELBOARD SCHEDULE NOTES					TVSS/SURGE PROTECTION: N/A													
REC. (GT) - EXTERIOR		18kVA	3/4"	12	12	20A/1P	1	2				20A/1P	3/4"	12	12	5kW		FE-1501
REC. - SLUDGE ROOM CR #1		1.98kW	3/4"	10	12	20A/1P	3	4				20A/1P	3/4"	12	12	5kW		FE-1502
REC. - SLUDGE ROOM CR #2		1.08kW	3/4"	10	12	20A/1P	5	6				15A/1P	3/4"	10	12	0.3HP		FAN F-1 MS
RECEPT - ELEC. RM		5kW	3/4"	12	12	20A/1P	7	8				20A/2P	3/4"	12	12	500W		RADIANT CEILING PANEL
SPACE								9	10			20A/1P						SPACE
PUMP STATION EXHAUST FAN		5HP	3/4"	12	12	20A/1P	11	12				20A/1P						SPACE
REC. - CONTROL RM/LAV		1.08kW	3/4"	12	12	20A/1P	13	14				20A/1P						SPACE
RECEPTACLE - POLYMER PM-1		1.8HP	3/4"	12	12	20A/1P	15	16				20A/1P						SPACE
RECEPTACLE - POLYMER PM-2		1.8HP	3/4"	12	12	20A/1P	17	18				20A/1P						SPACE
RECEPTACLE - POLYMER PM-3		1.8HP	3/4"	12	12	20A/1P	19	20				20A/1P						SPACE
RECEPTACLE - POLYMER PM-4		1.8HP	3/4"	12	12	20A/1P	21	22				20A/1P						SPACE
RECEPTACLE - POLYMER PM-5		1.8HP	3/4"	12	12	20A/1P	23	24				20A/1P						SPACE
RECEPTACLE - PTAC-1		3kW	3/4"	12	12	20A/2P	25	26				30A/2P	3/4"	10	12	4.6kW		INSTANT. WATER HEATER
SPACE								27	28			20A/1P						SPACE
SPACE								29	30			20A/1P						SPACE
SPACE								31	32			20A/1P						SPACE
SPACE								33	34			20A/1P						SPACE
SPACE								35	36			20A/1P						SPACE
SPACE								37	38			30A/1P						SPACE
SPACE								39	40			30A/1P						SPACE
SPACE								41	42			30A/2P	3/4"	12	12	1kW		STEAM JETTER

PANELBOARD RP																		
LOCATION: SLUDGE BUILDING - ELECTRICAL ROOM					FED FROM: TRANSFORMER LT 3													
MAIN BUS RATING: 100A, 120/208V, 3PH, 4W					ESTIMATED CONNECTED LOAD: 40kVA													
MINIMUM SHORT-CIRCUIT INTERRUPTION RATING: 22 kAIC					INCOMING FEED: REFER TO ONE-LINE DIAGRAM													
MAIN BREAKER TRIP: MAIN LUG ONLY					ENCLOSURE: NEMA 12													
NOTES: SEE PANELBOARD SCHEDULE NOTES					TVSS/SURGE PROTECTION: N/A													
REC. (GT) - EXTERIOR		18kVA	3/4"	12	12	20A/1P	1	2				20A/1P	3/4"	12	12	5kW		FE-1501
REC. - SLUDGE ROOM CR #1		1.98kW	3/4"	10	12	20A/1P	3	4				20A/1P	3/4"	12	12	5kW		FE-1502
REC. - SLUDGE ROOM CR #2		1.08kW	3/4"	10	12	20A/1P	5	6				15A/1P	3/4"	10	12	0.3HP		FAN F-1 MS
RECEPT - ELEC. RM		5kW	3/4"	12	12	20A/1P	7	8				20A/2P	3/4"	12	12	500W		RADIANT CEILING PANEL
SPACE								9	10			20A/1P						SPACE
PUMP STATION EXHAUST FAN		5HP	3/4"	12	12	20A/1P	11	12				20A/1P						SPACE
REC. - CONTROL RM/LAV		1.08kW	3/4"	12	12	20A/1P	13	14				20A/1P						SPACE
RECEPTACLE - POLYMER PM-1		1.8HP	3/4"	12	12	20A/1P	15	16				20A/1P						SPACE
RECEPTACLE - POLYMER PM-2		1.8HP	3/4"	12	12	20A/1P	17	18				20A/1P						SPACE
RECEPTACLE - POLYMER PM-3		1.8HP	3/4"	12	12	20A/1P	19	20				20A/1P						SPACE
RECEPTACLE - POLYMER PM-4		1.8HP	3/4"	12	12	20A/1P	21	22				20A/1P						SPACE
RECEPTACLE - POLYMER PM-5		1.8HP	3/4"	12	12	20A/1P	23	24				20A/1P						



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	090		
RFP Subject	CSCP Modifications		
Issued By	R. Cardinal	Issue Date	July 5, 2023

Description of proposed changes:

With regard to RFP-086, Biosolids Winch System Elimination, two interface items pertaining to the winch system and conveyor system have been identified, and these items are required to be deleted from the conveyor system OEM controls in addition to the deletion of the winch system described in RFP-086.

In addition to the deletion of the winch system, a backup float switch control panel was added to the Sludge Building Drain PS pump controls via RFP-060 to control the pumps and provide a high level alarm in the event of a level transducer failure or PCS-SLB PLC failure. A high level output contact from the float switch panel will be connected to the Conveyor System Control Panel (CSCP) to shut down the conveyor system when it is operating in Automatic mode, which in turn will cause the belt filter presses to shut down, eliminating flow to the Drain PS when a high level occurs.

Provide a price proposal to perform the following modifications to the CSCP and corresponding PLC and OIT programs:

- Delete the CONTROL START/STOP WINCH SYSTEM discrete output from the CSCP. Label output and corresponding relay as spare.
- Delete the WINCH SYSTEM OPERATING discrete input from the CSCP. Label input as spare.
- Delete programming logic and display information corresponding to the biosolids winch system from the PLC and OIT programs.
- Accept the high level input signal (discrete input) from the Drain PS Float Switch CP, and shut down the conveyor system when it is operating in Automatic mode (either Bypass or Normal), and provide a display that the high level point has been activated on the graphic display.



**SUSSEX COUNTY
CHANGE ORDER REQUEST**

A. ADMINISTRATIVE:

1. Project Name: **SCRWF Treatment Process Upgrade No. 3 & RBWTP Capital Improvement Program, Phase 2 – General Construction**
2. Sussex County Project No. C19-11
3. Change Order No. 29
4. Date Change Order Initiated - 7/18/23
5.
 - a. Original Contract Sum \$39,526,400.00
 - b. Net Change by Previous Change Orders \$6,151,107.18
 - c. Contract Sum Prior to Change Order \$45,677,507.18
 - d. Requested Change (\$ 280,489.60)
 - e. Net Change (No. of days) 0
 - f. New Contract Amount \$45,397,017.58
6. Contact Person: Hans Medlarz, P.E.
Telephone No. (302) 855-7718

B. REASON FOR CHANGE ORDER (CHECK ONE)

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

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

C. BRIEF DESCRIPTION OF CHANGE ORDER:

Elimination of the biosolids winch system and installation of a new pressure indicating transmitter.

D. JUSTIFICATION FOR CHANGE ORDER INCLUDED?

Yes No

E. APPROVALS

- 1. M.F. Ronca & Sons, Inc., Contractor



Signature 7/13/2023
Date

David A. Ronca, CEO & General Manager

Representative's Name in Block Letters

- 2. Sussex County Engineer



Signature 7/13/23
Date

- 3. Sussex County Council President

Signature Date

Michael F.
RONCA
& Sons, Inc.

TELEPHONE 610/759-5100
FACSIMILE 610/746-0974



CONTRACTORS

179 Mikron Road, Bethlehem, PA 18020

June 29, 2023

Mr. Steven Clark, P.E.
GHD
16701 Melford Boulevard, Suite 330
Bowie, MD 20715

Re: Sussex County
SCRWF-RBWWTP CIP Phase 2 Upgrades
Proposed Change Order Request No. 554-042
Discharge Pressure Transmitter

Dear Mr. Clark:

Please consider this writing to be Michael F. Ronca & Sons, Inc.'s formal change order request for performance of the above referenced work, in the amount of One Thousand Six Hundred Fifty Six Dollars and 00 Cents.....(\$1,656.00).

Enclosed for your review is a corresponding breakdown of costs.

Should this change order request be acceptable as provided, please prepare the appropriate change order documentation, and forward the same to our office for further processing. Until then, should you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Scott Wachinski

Project Manger

cc: HO file 554
Hans M. Medlarz, P.E. – Sussex Co.
David A. Ronca – M.F. Ronca

Sussex County - SCRWF-RBWTP CIP Phase 2 Upgrades

PCOR 554-042 Discharge Pressure Transmitter

6/29/2023

CHANGE ORDER SUMMARY

Item 1 Furnish and Install Replacement Mechanical Bldg. PS Discharge Pressure Transmitter in Accordance with GHD RFP-088

Labor	\$0.00
Materials	\$1,440.00
Equipment	\$0.00
Subcontract	\$0.00
Subtotal	\$1,440.00
Contractor Overhead & Profit @ 15%	\$216.00
Contr. Overhead & Profit on Subcontr. @ 5%	\$0.00
Item Total	\$1,656.00
Change Order Total	\$1,656.00

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-042 Discharge Pressure Transmitter

6/29/2023

<u>Item</u>	<u>Description</u>						
Item 1	Furnish and Install Replacement Mechanical Bldg. PS Discharge Pressure Transmitter in Accordance with GHD RFP-088						
	Labor:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Labor Total:	\$0.00
	Materials:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
	Pressure Transmitter	1.00	LS	\$1,440.00	\$1,440.00	Material Total:	\$1,440.00
	Equipment:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Equipment Total:	\$0.00
	Subcontract:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Subcontract Total:	\$0.00
						Item Total:	\$1,440.00

Gage-IT Inc.
94 N BRANCH ST
SELLERSVILLE, PA 18960
P: 215-453-8611
F: 215-453-8770

QUOTATION

DATE	QUOTE #
6/20/2023	18281

NAME / ADDRESS

GHD - Ronca
attn: Bob Cardinal

QUOTED BY	TERMS	SHIP DATE	FOB	REFERENCE
Jeff Benner	to be determ...	6/28/2023		Email Request

Description	Qty	Unit Price	Total
Dwyer 3200 Explosion Proof Transmitter, -14.7 to 217#, 1/2" FNPT, LCD display, 4-20 mA signal; (3200G-2-FM-1-1-LCD); supplied with reducer fitting, filled with DC200 fill fluid; (for field assembly to a 6" Ashcroft Series 80 Iso-ring)	1	1,415.00	1,415.00
SHIPPING & HANDLING	1	25.00	25.00

1-2 week delivery

We trust the above is found complete and satisfactory and thank you for your valued inquiry.

Total \$1,440.00

Quote is valid for 30 days from print date.

Michael F.
RONCA
& Sons, Inc.

TELEPHONE 610/759-5100
FACSIMILE 610/746-0974



CONTRACTORS

179 Mikron Road, Bethlehem, PA 18020

July 3, 2023

Mr. Steven Clark, P.E.
GHD
16701 Melford Boulevard, Suite 330
Bowie, MD 20715

Re: Sussex County
SCRWF-RBWWTP CIP Phase 2 Upgrades
Proposed Change Order Request No. 554-044
SCRWF Biosolids Winch System Elimination

Dear Mr. Clark:

Please consider this writing to be Michael F. Ronca & Sons, Inc.'s formal change order request for elimination of the above referenced work, in the credit amount of Two Hundred Eighty Two Thousand One Hundred Forty Five Dollars and 60 Cent.....(-\$282,145.60).

Enclosed for your review is a corresponding breakdown of costs.

Should this change order request be acceptable as provided, please prepare the appropriate change order documentation, and forward the same to our office for further processing. Until then, should you have any questions, or require additional information, please do not hesitate to contact me.

Regards,

Scott Wachinski

Project Manger

cc: HO file 554
Hans M. Medlarz, P.E. – Sussex Co.
David A. Ronca – M.F. Ronca

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-044 SCRWF Biosolids Winch System Elimination

7/3/2023

CHANGE ORDER SUMMARY

Item 1 Elimination of Biosolids Container Winch System from Project Scope in Accordance with GHD RFP-086.

Labor	\$0.00	
Materials	\$0.00	
Equipment	\$0.00	
Subcontract	(\$275,264.00)	
Subtotal	(\$275,264.00)	
Contractor Overhead & Profit @ 15%	\$0.00	
Contr. Overhead & Profit on Subcontr. @ 2.5% Credit	(\$6,881.60)	Ref. Note Below
Item Total	(\$282,145.60)	
Change Order Total	(\$282,145.60)	

Note: Contractor OH&P % Credit Offering Proposed at 2.5% Due to Excessive Administrative Time Expended Over Course of the Multiple Submittal Iterations, Conference Calls, Etc.

Sussex County - SCRWF-RBWWTP CIP Phase 2 Upgrades

PCOR 554-044 SCRWF Biosolids Winch System Elimination

7/3/2023

<u>Item</u>	<u>Description</u>						
Item 1	Elimination of Biosolids Container Winch System from Project Scope in Accordance with GHD RFP-086.						
	Labor:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Labor Total:	\$0.00
	Materials:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Material Total:	\$0.00
	Equipment:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
				\$0.00	\$0.00	Equipment Total:	\$0.00
	Subcontract:	<u>Qty</u>	<u>Unit</u>	<u>Unit Cost</u>	<u>Total</u>		
	Winch System Subcontractor	-1.00	LS	\$275,264.00	(\$275,264.00)	Subcontract Total:	(\$275,264.00)
						Item Total:	(\$275,264.00)



Tri-State Tool & Hoist, Inc.

707 S. Ellsworth Ave., Salem, Ohio 44460
Office: (330) 332-3500 - Fax: (330) 332-3510
www.TRISTATETH.COM

June 30, 2023

Michael F. Ronca
Attn: Scott Wachinski
179 Mikron Road Bethlehem, PA 18020
RE: South Costal/Rehoboth Beach WWTP
Biosolids Winch System Credit

To whom it may concern,

Elimination of furnish and installation of Biosolids Container Winch System in accordance with GDH issued REP-086 as follows:

2 Thern 4HS11MCERA-S Mod. Helical/Spur Winch	(\$19,380.00ea. / \$38,760.00 Total)
1 Thern 10S7E4-SCustom Design Winch Control Pkg.	(\$209,840.00ea. / 209,840.00 Total)
2 Thern Vertical Lead Block	(\$1,760.00ea. / \$3,520.00 Total)
2 Thern WS62-100DS Wire Rope Assy	(\$2,792.00ea. / \$5,584.00 Total)
2 Thern Power Winch Load Test	(\$1,200.00ea. / \$2,400.00 Total)
1 Thern Certificate of conformance for Power Winch	(\$ 160.00ea. / \$160.00 Total)
1 Tri-State Tool Install of Winch Equipment & Control Panel	(\$7,000.00ea. / \$7,000.00 Total)
1 Freight to Jobsite	(\$8,000.00ea. / \$8,000.00 Total)

Total Contract Credit as Outlined Above: \$275,264.00

Respectfully,

Brent Tice
President
Tri-State Tool and Hoist Inc.



Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	086		
RFP Subject	Biosolids Container Winch Elimination – General Construction		
Issued By	S. Clark	Issue Date	Jun. 7, 2023

Description of proposed changes:

Owner, Engineer, and General Construction Contractor have agreed to eliminate the biosolids container winch system from the project. Submit a credit proposal for eliminating the electric winch system specified in Section 14602 and shown on Drawings SC-M2203 and SC-M2204. This includes deletion of Articles 2.01.D, 2.03.C, 2.04.C, and 2.05 from Section 14602. In addition, Contractor will not install the dumpster guides shown on Drawing SC-S2201.

GHD

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

N:\US\Bowie\Projects\111\11121182 South Coastal Expansion\TECH\Construction\Work Changes\Request for Proposals\RFP-086 Biosolids Winch System Elimination - GC\RFP-086 Biosolids Winch System Elimination - GC.docx





Request for Proposal

Project Title	SCRWF Upgrade No. 3 & RBWWTP CIP Upgrade Phase 2		
Owner	Sussex County, Delaware		
Contract No.	C19-11: General Construction	GHD Project No.	11121182
Contractor is requested to provide a Change Proposal for the following proposed modifications to the Work. This request alone neither directs nor approves any change to the Work nor any adjustments to the Contract Price or Contract Times. Contractor's proposal shall be submitted to Engineer for review and shall adhere to all requirements of the Contract Documents. If found acceptable to Owner and Engineer, Contractor's Change Proposal will be incorporated into the Work via Change Order.			
RFP No.	088		
RFP Subject	MPS-1801 Discharge Pressure Transmitter		
Issued By	R. Cardinal	Issue Date	June 27, 2023

Description of proposed changes:

Provide a price proposal to perform the following work at the Mechanical Building Pump Station Valve Vault:

- Provide a new Pressure Indicating Transmitter (PIT), to be installed in place of the currently installed pressure gauge in the discharge line of MPS-1801 and connected to the in-line annular seal in the discharge line in the MBPS Valve Vault.
- PIT shall be provided as follows:
 - Dwyer 3200 Explosion Proof Transmitter w/LCD display
 - 4-20 mA output signal calibrated 0-217 PSIG
 - 1/2" FNPT process connection
 - 1/2" x 1/4" reducer fitting to allow connection to 6" in-line annual seal
 - PIT and fitting filled with DC200 fill fluid for field connection to in-line seal
 - Stainless steel or bronze instrument tag with chain, "PIT-1801" (can be installed at a later date)
- Spare parts, field calibration, and training are not included in this RFP and are not required.

South Coastal RWF & Rehoboth Beach WTF Upgrade

7/13/2023

Vendor/Contract	Description	Contract Value
Michael F. Ronca & Sons, Inc.	SCRWF/RBWWTP General Construction	45,397,361.58
BW Electric Inc.	SCRWF/RBWWTP Electrical Construction	22,890,023.05
BW Electric Inc. CO#3	DP&L Service Entrance Modification Conduit System	235,637.33
BW P.O.	Soil Screening @ Rehoboth Plant	4,504.50
City of Rehoboth	Direct Payment for repairs to piping in oxidation ditches	324,996.81
	State Street Pump Station Repair	2,732,938.82
GHD	Amd 11 - SCRWF Expansion to 10mgd - Planning & Concept	241,938.68
	Amd 12 - SCRWF Expansion Construction Docs	2,240,280.73
	Amd 13 - Value Engineering	95,080.15
	Amd 14 - Rehoboth WTP Capital Improvement Program Upgrade Phase 2/Joint Project with SCRWF Expansion	398,410.63
	Amd 16 - Ocean Outfall Discharge Modeling & Wetlands Delineation for SCRWF and Add'l Design Services for Rehoboth WTP Capital Improvement Program	181,089.72
	Amd 18 - RBWTP CIP Upgrade Phase 2 - Add'l Design	172,153.01
	Amd 19 - SCRWF Upgrade 3 Add'l Design	108,073.71
	Amd 20 - SCRWF Upgrade 3/RBWTP Upgrade Phase 2 Construction Engineering	6,589,558.49
Core & Main	Influent FM Consolidation Materials	339,944.59
Core & Main	Effluent FM Pipeline Materials	227,603.39
Delmarva Power	Improve service entrances for both projects. Payment not distributed.	175,000.00
G&L	FM Consolidation & Influent Consolidation Phase II	973,229.04
G&L Work- Effluent Relocation		316,635.20
G&L Work - RB Treatment Plant	Parking Lot Repavement	
Kershner Environmental Technologies	Belt Press	295,000.00
Melvin Joseph	Material Screening	80,000.00
DSWA	Loading, Hauling & Disposal of Debris	33,000.00
	Hauling of Rehoboth Oxidation Ditch Remnants	39,663.15
Totals		84,092,122.58

ENGINEERING DEPARTMENT

HANS M. MEDLARZ
COUNTY ENGINEER

(302) 855-7370 T
(302) 854-5391 F

hans.medlarz@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable John L. Rieley, Vice President
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable Mark G. Schaeffer

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

RE: *Professional Environmental Services*
A. RK&K – Constructed Wetland Construction Phase Services

DATE: July 18, 2023

The County's five (5) year capital plan, as approved in the FY 24 Capital Budget, contains several projects at the Inland Bays Regional Wastewater Facility including the Cannon Road –Inland Bays Road Drainage Improvements and Constructed Wetlands, Project S22-05. It will reduce storm runoff to Guinea Creek as well as nuisance flooding in the Cannon Road area and ponding within the spray fields. This project is also creating a significant water quality credit which can be used as a stormwater management offset for future projects including the upcoming treatment plant expansion.

The initial design for the constructed wetlands portion of the project was first submitted to the Delaware Department of Natural Resources and Environmental Control (DNREC) in 2020. As a result of DNREC's comments additional data acquisition, soil testing, hydrogeologic evaluations and surface water assessments were conducted summarized in the October 2022 Hydrogeological Report. The wetland is an innovative land application enhanced polishing and disposal option for wastewater effluent **and** groundwater with elevated nutrient levels.

The wetland was designed in coordination with DNREC under a 5-year "operational-testing" program. Once wetland dosing commences spray irrigation on the North Burton Field will cease and the center pivot equipment will be removed. On November 17, 2022, invitations to bid for the Cannon Road/Inland Bays Road Drainage Improvements and Constructed Wetlands, Project S22-05 were publicly advertised and on December 21, 2022, six (6) bids were received.



Kinsley Construction, Inc. of Dagsboro, Delaware submitted the lowest, responsive base bid and on January 10, 2023, Council awarded the project to Kinsley Construction, Inc. in the amount of \$11,467,000.00.

Environmental Services staff made three improvement requests associated with the South Field irrigation area. The first one involved an expanded hydroseeded buffer area on the downstream southern end of the field; the second one involved an additional structure and piping next to Wetland 1 to drain an adjacent low area ponding along the wetland maintenance access area; the third one was associated with the stabilization of the irrigation rig ruts. On June 6, 2023 County Council approved Change Order No. 1 in the aggregate amount of \$34,953.00.

Sussex County's five (5) year capital projects plan, as approved in the FY 20 Capital Budget, contained projects requiring specialized environmental engineering services. Therefore, a Request for Proposals (RFP) was in May of 2018 and on August 14, 2018, Council approved the selection of RK&K to provide a range of environmental services. The base contract, in the approved amount of \$250,000 was set to cover the County's water quality enhancement program as well as the design of "constructed wetlands" at the Inland Bays Regional Wastewater Facility.

Since then, Council approved Amendment Nos. 1-3 for the respective tasks (i) assistance to the Sussex County's Working Group on buffers, (ii) for the initial FAA compliant contract documents for a remediation project in the Eli Walls Tax Ditch and (iii) associated with the Statewide Community Water Quality Improvement project within Delaware's portion of the Chesapeake Bay watershed.

Kinsley is progressing well, starting on the constructed wetland in the second half of July. At this point RK&K will be needed for on-site geotechnical services. However, Amendment No. 1 currently has insufficient funding to complete the construction phase scope of work. Therefore, the Engineering Department requests approval of RK&K's construction phase services agreement in the amount of \$96,738.42 and a transfer of the remaining amount from Amendment 1 for a total of \$113,273.67.



June 28, 2023

Hans Medlarz, P.E.
Sussex County Engineer
Engineering Administration
Sussex County Engineering Department
2 The Circle
P.O. Box 589
Georgetown, Delaware 19947

**RE: Professional Environmental Services
Inland Bays Wastewater Treatment Plant
Basin Scale Test and Contract Amendment**

Dear Mr. Medlarz:

Rummel, Klepper, and Kahl, LLP (RK&K) appreciates the opportunity to continue our work with Sussex County under the Professional Environmental Services for the Inland Bays Wastewater Treatment Plant, Sussex County project. Based on our discussions with you, RK&K's new services will include work under the following tasks:

- Performing double ring infiltration tests, data evaluation and reporting,
- Revisions to the hydrogeological report based on testing results, and
- Continued consulting support for inquiries by DNREC or other regulatory agencies.

Based on the attached Scope of Services and Fee Schedule, we propose to provide these services under time and material and a not-to-exceed contract in the contract amount of \$113,273.67. The total amount of additional funding is \$96,738.42 based on a current remaining contract balance of \$16,535.25. Monthly invoices will be prepared based on percent complete and will include a project summary. If you have any questions, please contact John Mayhut at 757.306.6897 or me at 410.493.9147.

Sincerely,
Rummel, Klepper & Kahl, LLP

Patrick D. Hager, PE

Digitally signed by Patrick D. Hager, PE
DN: cn=Patrick D. Hager, o=RK&K,
ou=Professional Services, email=phager@rkk.com, c=US
Date: 2023.06.28 16:21:23-0400

Patrick Hager, PE
Director



SCOPE OF WORK FOR PROFESSIONAL ENVIRONMENTAL SERVICES FOR THE INLAND BAYS WASTEWATER TREATMENT PLANT

Background

On behalf of Sussex County, RK&K submitted a Construction Permit for a proposed Submerged Gravel Wetland (for the Inland Bays Regional Wastewater Facility) on June 1, 2020, to the Groundwater Discharges Section (GDS) of the Delaware Department of Natural Resources and Environmental Control (DNREC) Division of Water. Upon review, the DNREC GDS provided a response requiring additional information (RAI), dated October 30, 2020. Phase I of the project includes a construction of a new wetland (Rapid Infiltration Basin) with the construction of four (4) discharge cells on a former spray field on the northeastern section of the subject property (site). Since changes to the source water for the facility changed from 100% stormwater runoff to include wastewater effluent, the facility falls under the large on-site wastewater treatment and disposal systems (LOWTDS) regulations.

During the initial investigation and soils mapping for the submerged gravel wetland (SGW), a series of modeling protocol questions resulted in DNREC requesting a basin test be performed. A basin test plan was developed in coordination with the County to evaluate the hydraulic loading capacity of the aquifer, and presented to DNREC for review and was approved. The “draft” Basin Scaled testing plan was advanced in coordination between the County and RK&K. The resulting plan was then used to engage contracted services and to prepare the following work scope and estimated fee.

Based on the results of the Subsurface investigation scope of services it was observed that two distinct hydrogeological conditions exist on the transect investigated. It was determined that testing both conditions would result in a better understanding of the discharge potential and would benefit the project. Testing plans were prepared for review by the County and DNREC. This testing was conducted in accordance with the testing plans and a hydrogeologic report was prepared and submitted to DNREC. Following the review period, the construction plans were finalized and the SGW was incorporated into a larger County stormwater management project. The project was bid and awarded on January 10, 2023. The following Scope of Work addresses RK&K’s responsibilities during construction and following the testing events to be conducted on the SGW.

Scope of Work

The following list of activities comprises the Scope of Work (SOW) to be performed by RK&K for this project task, to include:

Task I – Double Ring Infiltration Testing

The work elements in Task II relate to the testing of the newly constructed floor of the SGW. It is anticipated that testing will be conducted following major milestones of work. This task includes up to four mobilizations to the project site to conduct double ring infiltration test (Test). During this phase of work, RK&K will complete the following tasks.

- RK&K will coordinate with the County and their selected soil scientist and contractor during the construction.
- Conduct double ring infiltration tests as the SGW is constructed.
 - Each section of the SGW will have two (2) tests for a total of about 42 separate tests, based on 21 rows.
 - Interim data reports will be prepared and submitted to the County within five (5) business days following the testing events at each section.
 - Additional double ring test may be required if the results indicate that the restrictive layer does not perform as desired, and the contractor is required to complete remedial soil work.



- Following the completion of all testing events a Final Report will be prepared summarizing all field conditions and Tests conducted.

Task II – Hydrogeological and Engineering Support during Construction

RK&K assistance to the County during this task will include the following items:

- Collect one (1) water quality sample from each monitor well for evaluation of full suite of microbiological, inorganic, and organic quality parameters in accordance with Delaware Ground-Water Recharge Design Manual (June 2017) and in accordance with 7 Del.C. 7101 6.2.3.5.2 as proposed in the Monitoring Plan. RK&K will collect the water sample and ship to independent laboratory for analysis, review the reports and summarize in the Updated Hydrogeological Report.
- Preparation of a draft and final revision to the Updated Hydrogeologic Report based on actual site data.
 - Add a post construction section which provides a summary of construction and testing of the SGW, groundwater monitoring conducted during construction, groundwater quality results, and well field-testing results.
 - Provide an updated hydraulic evaluation and recommendations for an operational plan based on actual site testing. Provide as an appendix the results of the Soil Scientist construction reports.
- Provide third party construction observation and testing support as directed by the County.

Task III – Project Management and Meetings

RK&K assistance to the County during this task will include the following items:

- Provide support as directed by the County for their contractors.
- Prepare for and attend up to four (4) meetings with regulatory agencies, contractors, or other county agencies.

Deliverables

RK&K shall submit all deliverables in electronic portable document format (PDF) either by email or by electronic file transfer protocol (FTP). The following deliverables will be submitted to the client in fulfillment of the project SOW.

Task I – Double Ring Infiltration Testing

RK&K will provide the following:

- Coordination with the Soil Scientist.
- Conduct Double Ring Infiltration test as the basin is excavated.
 - Up to two (2) tests will be conducted in each cell.
 - Extra test will be completed, as necessary, to confirm infiltration rates especially in areas where high infiltration is observed.
- Prepare interim and final testing report(s).

Task II – Hydrogeological and Engineering Support during Construction

RK&K will incorporate the results of the double ring testing events into a revised post-construction hydrogeological report. The report will update the following elements:

- Anticipated SGW infiltration capacity, operational capacity, and dosing schedules.
- Provide baseline water quality and level results from the new monitor wells.
- Provide baseline wellfield capacity assessment based on contractor supplied data.
- Draft and Final Update Hydrogeologic Testing Report.

RK&K shall respond one (1) round of comments from Sussex County on the draft of each identified deliverable. RK&K shall review the County comments and, as appropriate, incorporate revisions in



final versions of the deliverables. RK&K will submit the final report to DNREC as a PDF file. No hard copy files will be prepared.

Task III – Project Management and Meetings

RK&K assumes that up to four (4) meetings with the Contractor and DNREC may be necessary during the execution of the work to review progress, discuss results and/or make minor modifications.

Schedule

The proposed schedule for the submittal of deliverables is presented in the table below. This schedule may be impacted by weather, construction, or other regulatory requirements. If there is an anticipated schedule impact, RK&K will notify you immediately and provide details regarding the level of impact to our scope of services.

Deliverable	Due Date (Calendar days from date of acceptance)
Task I – Double Ring Infiltration Testing*	TBD
Task II - Hydrogeological and Engineering Support during Construction*	TBD
Task III – Project Management and Meetings*	As needed

* Based on Contractor construction progress.

Contract Amendment

RK&K would like to amend the existing contract and transfer the remaining balance of the previous task to the new work authorization and close out the previous task. The remaining budget on the contract is sixteen thousand, five hundred and thirty-five dollars and twenty-five cents (**\$16,535.25**). The estimated cost of the new work will be offset by the remaining budget transfer amount.

Fee

RK&K proposes to provide the services presented in the SOW described above are presented as a time and material fee with a not to exceed (NTE) fee of one hundred and thirteen thousand, three hundred and thirty dollars and ninety-seven cents (\$113,330.97). The fee was prepared using the estimated hours to complete each task in accordance with the revised fee structure based on the rates schedule for 2022. The total amount of additional funding is **\$96,738.42**.

Task	Estimated Fee
Task I - Double Ring Infiltration Testing	\$69,740.45
Task II - Hydrogeological and Engineering Support during Construction	\$29,347.30
Task III - Project Management and Meetings	\$8,519.30
Subtotal	\$113,273.67
Task - Previous Amendment (transfer)	\$16,535.25
Total Cost (additional funding)	\$96,738.42

Assumptions and Exclusions

The following assumptions and exclusions were used for the preparation of the scope and fee. The above SOW does not include new, site specific information gathering activities and related analysis, testing or evaluation beyond those expressly noted. DNREC may require site-specific testing, additional groundwater



modeling and/or wetlands assessment after the review of the application, and if so, a proposal for additional services may be prepared for these excluded services. While not comprehensive, the following list of activities are excluded from the proposed SOW:

- The County's Soil Scientist will be responsible for field staking of the double ring test locations.
- Double ring testing will not be conducted over the weekend or at night, or when freezing or precipitation conditions are expected.
- County or General Contractor will provide potable water for testing.
- Personal protective equipment beyond Level D.
- This proposal assumes a total of 35 field days up to 10 hours/day.
- In-person meetings are not included in this SOW. Coordination activities are limited to video conferencing, telephone and email. Meetings may be attended in person, upon County's request, as necessary.
- Response to requests for additional information.
- Any collection of water samples analyzed for either primary or secondary standards beyond those expressly noted in the SOW.
- Any and all costs associated with water quality monitoring or testing or well testing beyond those expressly noted in the SOW.

PROJECT FEE ESTIMATE



Owner → Sussex County	Version # → 2
Billing Client → Sussex County	Date → 2023-06-26
Project Name → Inland bays - Construction Support	Estimator Initials → jam
Commission # → TBD	Reviewer Initials →

A. LABOR FEE ESTIMATE BY TASK AND EMPLOYEE

Employee Labor Category →	Director	Sr. Manager (P. Engineer)	Manager (P. Geologist)	Manager (P. Engineer)	Project Engineer (and Geologist)	Project Scientist / Inspector	Administrative Support				Total (Hours by Task)	Fee (\$ by Task)
Billing Rate (\$/hour) →	\$281.96	\$266.51	\$238.65	\$170.09	\$170.09	\$108.61	\$80.05	\$0.00	\$0.00	\$0.00		
Task I : Double Ring Infiltration Testing											518	\$65,134.20
Coordination	2	2	12		2						18	\$3,737.00
Double Ring Test and Interim Reports		12	24	12	32	350					430	\$52,382.10
Final Report		4	6	8	16	32	4				70	\$9,015.10
Task II : Hydrogeological and Engineering Support											74	\$15,451.80
Hydrogeological and Engineering Consultation	6		24		24						54	\$11,501.52
Groundwater Sampling			8		12						20	\$3,950.28
Task III : Project Management and Meetings											48	\$8,519.30
Project Management	4		12				6				22	\$4,471.94
Project Meetings	4	2	10	10							26	\$4,047.36
Total (Hours by Labor Category) →	16	20	96	30	86	382	10	0	0	0	640	← TOTAL HOURS
Labor (\$ by Labor Category) →	\$4,511.36	\$5,330.20	\$22,910.40	\$5,102.70	\$14,627.74	\$41,489.02	\$800.50	\$0.00	\$0.00	\$0.00	TOTAL LABOR →	\$94,771.92

Total Labor (From Table A):	\$94,771.92
Direct Expenses (From Table B):	\$18,501.75
Total Fee (Tables A & B):	\$113,273.67
Contract Amendment (transfer):	\$16,535.25
PROJECT FEE:	\$96,738.42

Notes on Assumptions & Limitations on Labor Fee Estimate:

Note #	Note
1	
2	
3	
4	

PROJECT FEE ESTIMATE



Owner → Sussex County
 Billing Client → Sussex County
 Project Name → Inland bays - Construction Support
 Commission # → TBD

Version # → 2
 Date → 2023-06-26
 Estimator Initials → jam
 Reviewer Initials → 0

B. DIRECT EXPENSES ESTIMATE BY TASK AND CATEGORY

Task #	Task Description	Mileage	Airfare	Rental Car	Overnight Lodging (Night)	Meals / Per Diem (Day)	In-House Reproduction	Outsourced Reproduction	Delivery / Shipping / Postage	Water/Soil Sampling	Rental Equipment	Miscellaneous Expenses	Expense (\$ by Task)
		\$0.655			\$150.00	\$35.00							
	Task I - Double Ring Infiltration Testing												\$4,606.25
	Coordination												\$0.00
	Double Ring Test and Interim Reports	\$2,456.25			\$1,500.00	\$350.00						\$300.00	\$4,606.25
	Final Report												\$0.00
	Task II - Hydrogeological and Engineering Support												\$13,895.50
	Hydrogeological and Engineering Consultation												\$0.00
	Groundwater Sampling	\$1,375.50			\$300.00	\$70.00				\$12,000.00		\$150.00	\$13,895.50
	Task III - Project Management and Meetings												\$0.00
	Project Management												\$0.00
	Project Meetings												\$0.00
	Expense (\$ by Category) →	\$3,831.75	\$0.00	\$0.00	\$1,800.00	\$420.00	\$0.00	\$0.00	\$0.00	\$12,000.00	\$0.00	\$450.00	\$18,501.75
TOTAL DIRECT EXPENSES →												\$18,501.75	

Notes on Assumptions and / or Limitations for Direct Expenses:

Note # 1 Note The estimates are provided for budgetary purposes and all eligible expenses will be billed at cost.

ENGINEERING DEPARTMENT

HANS M. MEDLARZ
COUNTY ENGINEER

(302) 855-7370 T
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hans.medlarz@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

TO: Sussex County Council
The Honorable Michael H. Vincent, President
The Honorable John L. Rieley, Vice President
The Honorable Douglas B. Hudson
The Honorable Cynthia C. Green
The Honorable Mark G. Schaeffer

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

RE: ***FY24 Minor Capital Projects – 1st Award***

DATE: July 18, 2023

The Engineering Department developed a competitively selected time and material, best value bid process for the execution of large capital projects as well as emergency response work. The first General Labor & Equipment contract was awarded in 2017 and the current one awarded to George & Lynch, Inc. is in its final one-year extension option through June 30, 2024. The General Labor & Equipment contract has been increasingly burdened with minor capital projects which could be accomplished by smaller firms.

Therefore, the Engineering Department approached in April of 2023 approached the three (3) experienced smaller utility firms listed below to gauge their interest.

- Gateway Construction
- R & C Contractors
- Utilisite, Inc.

The new minor cap project procurement approach intends to aggregate individual work tasks into a package and solicits several requests a year for non-emergency type utility and/or site work allowing at least a week for pricing and a suggested start date for that specific task. Since these are non-emergency tasks, the Department does not expect an immediate mobilization, but it should be within a month of the award. If the respective workload does not allow the company to engage, a decline response is sent. Once the best offer is determined, the Department would issue individual POs for each assignment.

On May 22, 2023, we sent out the first detailed description for a sewer repair scope in Bridgeville estimated at ~7 days with proposals due June 1st. We requested 8-hour crew day pricing for a team consisting of foreman (1), operator (1), laborer (1), flaggers (2), and truck



driver (1). The equipment was to be included in the crew day price, however all material would be reimbursed at cost plus 10%.

The minimum crew equipment was specified as an excavator with hammer & bucket, dump truck, front end loader, tool support truck/trailer, plugs 12" & 10", generator, compressor, compaction equipment, saw, manhole box, steel plating, survey equipment for elevations on the connecting RCP & VCP pipes.

The materials were identified as precast manholes, sealants, Fernco gaskets, frame & cover, flowable fill, bricks & mortar, wood forms, #57 stone, GABC, hot tack coat, steel plates to cover opening for traffic in off hours, and patch materials to DelDOT spec. Maintenance of traffic was to be reimbursed separately since the work will take place in a state-maintained road.

We received two offers and one decline due to workload. The low bidder was Utilisite at a base price of \$51,445.00 plus materials and traffic maintenance. The Department is now requesting Council's approval in the minor capital projects solicitation process in general and the issuance of a purchase order in the not to exceed amount of 80,000.00 to Utilisite in particular.

UtiliSite, Inc

20721 Robinsonville Road
Lewes, De 19958



Phone/Fax: (302) 945-5022
utilisiteinc@verizon.net

Underground *Utilities* and *Sitework* Solutions



June 1, 2023

Sussex County Engineering
2 The Circle - P.O. Box 589
Georgetown, DE 19947

Attn: Hans Medlarz

**RE: Sewer Repair
Bridgeville, DE**

Hans:

Below is our cost for the above referenced location.

Mobilization / Demobilization - 1 LS = \$2,830.00

Labor and Equipment - PER DAY = \$6,945.00

Materials to be billed at costs plus 10%.

Respectfully,

Bob Murphy
Estimator

R&C Contractors llc
 11351 S. Dupont Highway
 Felton DE 19943



Hans Medlarz
 Sussex County Engineering
 Georgetown De 19947

BID

Reference- Bridgeville sewer repairs

Bid # 0000003

Bid Date 06/01/2023

Item	Description	Unit Price	Quantity	Amount	
Service	Daily crew rate & equipment rates	7672.00	7.00	53,704.00	
Product	Materials purchased as needed.				
<p><u>NOTES:</u> The crew is made up of 1 foreman 1 operator -1 laborer 1 truck driver 2- flaggers and M.O.T.</p> <p>2. Equipment included is 1-service truck 1- 310 excavator 1- 926 loader 1-dump truck 1- roller 3 steel plates 1 breaker for the excavator, and mobilization in and out.</p> <p>Terms of Bids This price is for 8 hours a day if overtime is accrued this will be a separate charge.</p>					
				Subtotal	53,704.00
				Total	53,704.00
				Amount Paid	0.00
				Bid	\$53,704.00

From: [Gateway Construction](#)
Sent: Wednesday, May 24, 2023 2:39 PM
To: [Hans Medlarz](#)
Subject: Re: Railroad Avenue - Bridgeville RFP

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

Just a follow up to let you know that we will not be bidding this project. We simply have too much work on our books at this time.

Sincerely,
Vicki Frischkorn
Gateway Construction Inc.
498 Sudlersville Rd.
Clayton, DE 19938
Ph# 302-653-4400
Fx# 302-653-4405
Email: gwc2001@gmail.com

On Mon, May 22, 2023 at 8:08 AM Hans Medlarz <hans.medlarz@sussexcountyde.gov> wrote:

Greetings Craig, Mark and Randy:

Following up on my previous solicitation we have the first sewer repair scope in Bridgeville estimated at ~7 days for construction. (detailed description attached)

We are requesting 8-hour **crew day pricing** for a team consisting of foreman (1), operator (1), laborer (1), flaggers (2), and truck driver (1). The truck may not be needed full time but should be included for all days. All material will be reimbursed at cost plus 10%. Please submit your crew day pricing and lump sum mobilization pricing by June 1st. We expect the work to be completed based on your availability sometime during June.

The crew will need an excavator with hammer & bucket, dump truck, front end loader, tool support truck/trailer, plugs 12" & 10", generator, compressor, compaction equipment, saw, manhole box, steel plating, survey equipment for elevations on the connecting RCP & VCP pipes. The equipment should be included in the crew day price.

The materials include precast manhole, sealants, Fernco gaskets, frame & cover, flowable fill, bricks & mortar, wood forms, #57 stone, GABC, hot tack coat, steel plates to cover opening for traffic in off hours, and patch materials to DelDOT spec.

The inverts of the inlet on the run from Pict Sweet Processing Plant to RR Ave. are unknown, which makes ordering the manhole difficult. You may want opt out for a doghouse manhole. In addition, there are some old 8-inch pipes along RR Ave. which may be connected to demolished houses. Please note MOT should anticipate feed truck traffic from Adams G&S.

Looking forward to your proposals.

Regards, Hans

Hans M. Medlarz, P.E.
Sussex County Engineer
2 The Circle | PO Box 589
Georgetown, DE 19947
hans.medlarz@sussexcountyde.gov
(302) 855-7728

VINCENT
YES. 7/6.



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Town of Laurel/Laurel Independence Day Committee
PROJECT NAME: Laurel Annual 4th of July Fireworks Display
FEDERAL TAX ID: 51-60000168 NON-PROFIT: YES NO

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

ORGANIZATION'S MISSION:
Offer the annual 4th of July Fireworks Display to our residents and residents from surrounding towns as away to celebrate our freedoms and independence and as a thank you to all those that served to provide us with those freedoms

ADDRESS: 201 Mechanic Street
Laurel De 19956
(CITY) (STATE) (ZIP)

CONTACT PERSON: Jamie Smith
TITLE: Town Manager
PHONE: 302-875-2277 EMAIL: laurel-tm@comcast.net

TOTAL FUNDING REQUEST: 1,000 gll

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

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

If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for? YES NO

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 6%

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 ¹ | <input checked="" type="checkbox"/> Other <u>Community</u> | <input 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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other <u>Community</u> | |

BENEFICIARY NUMBER

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

8,000

SECTION 3: PROGRAM SCOPE

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

This year the Town of Laurel will be holding our 29th Annual Independence Day Celebration to include a Parade, vendors, games, attractions, and a fireworks show. The fireworks show has brought thousands of people to the Laurel area for the past 28 years.

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

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

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

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

SECTION 4: BUDGET

REVENUE	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	\$9,985
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Total Fireworks Cost	\$20,000
TOTAL EXPENDITURES	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Laurel Independence Day Organization agrees that:
(Name of Organization)

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

SECTION 5: STATEMENT OF ASSURANCES (continued)

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



Applicant/Authorized Official Signature



Witness Signature

6-21-23

Date

6/21/23

Date

Completed application can be submitted by:

Email: casey.hall@sussexcountyde.gov

Mail: Sussex County Government
Attention: Casey Hall
PO Box 589
Georgetown, DE 19947

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

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

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

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


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

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

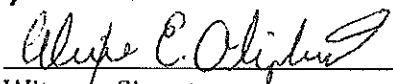
Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used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

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

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



Applicant/Authorized Official Signature



Witness Signature



Title

6-21-23

Date

Casey Hall

From: Alexis Oliphant <laurelop@comcast.net>
Sent: Wednesday, July 5, 2023 4:05 PM
To: Casey Hall
Subject: RE: Town of Laurel's 4th of July - Non-Profit Grant Paperwork

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

Good Afternoon,
The town on past years always request a \$1,000 donation towards the firework display.

Thank you.

Alexis Oliphant

Operations Manager

The Town of Laurel

201 Mechanic Street

Laurel, Delaware 19956

302-875-2277 (O)

302-875-2451 (F)

On 07/05/2023 11:56 AM EDT Casey Hall <casey.hall@sussexcountyde.gov> wrote:

Thank you! The application also does not list a requested amount. What amount of funds is the town requesting?

Casey Hall

Casey Hall, Clerk III

Administration | Sussex County Government

P.O. Box 589 | 2 The Circle | Georgetown, DE 19947

HUDSON.
YES. 7/7

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE <notifications@d3forms.com>
Sent: Wednesday, July 5, 2023 12:55 PM
To: Casey Hall
Subject: Sussex County DE - Council Grant Form: Form has been submitted

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

Council Grant Form

Legal Name of Agency/Organization	The Society of St. Andrew, Inc. ✓
Project Name	Delmarva Gleaning Network
Federal Tax ID	54-1285793 ✓
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	Developing community-based grassroots gleaning networks, SoSA leverages volunteer labor to pick, dig, or gather fresh produce remaining in fields after commercial harvest, providing a "no regrets" solution benefiting the environment by reducing food waste; farmers through tax benefits; volunteers through opportunities to make a difference in their community; feeding agencies through receiving zero-cost healthy produce for their clients; and low-income, asset limited persons with nourishing food to eat. SoSA has four decades' experience, with a proven track record across multiple states, and already recovers and

distributes 20-30 million pounds of food each year, at a cost of 10-12¢ per pound.

Address 302 St. Alban's Drive

City Salisbury

State MD

Zip Code 21804

Contact Person Jean Siers

Contact Title Regional Director

Contact Phone Number 4107130895

Contact Email Address delmarva@endhunger.org

Total Funding Request 1500

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

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

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

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

N/A

Program Category (choose all that apply)

Health and Human Services

Primary Beneficiary Category

Low to Moderate Income

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

3000

Scope

Fresh fruits and vegetables are abundant in the fields of Sussex County, but multiple studies show that in most cases, more fruits and vegetables go to waste than are eaten in the United States. Markets demand perfection, and much gets left behind in fields or graded out in packing houses. At the same time, in Sussex County alone, nearly 25,000 residents, more than 6,000 of them children, live in food insecure households. That means they lack the ability to provide enough nutritious food for every member of the household for every meal. Inflation and recent cuts in SNAP benefits has made this situation more difficult.

Society of St. Andrew seeks to solve the twin problems of food waste and food insecurity by building relationships with growers, volunteers, and local feeding agencies. Volunteers go into fields to gather what remains behind, and distribute it to local hunger agencies. Agencies tell us that fresh produce is always in demand and is often not obtainable in needed quantities from the Food Bank.

There are multiple benefits to this model. SoSA tracks all donations from local farms, and farmers are able to take a tax deduction for produce that would have otherwise been throw away. Volunteers learn where their food comes from, and can help their neighbors in a very tangible way. And local agencies can use their scarce resources to purchase other foods rather than expensive fresh produce. A \$1,500 grant allows us to share food with agencies that will save them an estimated \$42,000! And finally, people who eat more healthfully have better health outcomes and are less vulnerable to chronic illnesses such as diabetes, heart disease, and high blood pressure.

Our Delmarva Gleaning Network has been active for one year and we have already distributed across the peninsula a million servings of good, fresh foods! In Sussex County, we have gleaned (picked up) produce from Evans Family Farms, T.S. Smith Orchard Point Farm, and Shane Marvel's Homestead Market. We have made contacts with multiple farms across Sussex and Kent counties.

We have delivered produce to Milton Community Pantry, Milton DE; Shepherd's Office, Georgetown, DE; Laurel Library, Laurel, DE; Love Inc., Seaford DE; 1st State Community Action Agency, Georgetown, DE; Harvest Ministries, Delmar, DE

Our Lady of Lourdes, St. Vincent De Paul Pantry, Seaford, DE; and Feed My Sheep Pantry/ Mariner's Bethel Church, Ocean View, DE.

We have talked with and hope to deliver food soon to: Epworth UM Church Pantry, Rehoboth Beach, DE; Union U.M. Church, Bridgeville, DE; and Teach a Person To Fish, Rehoboth Beach, DE.

SoSA works to build broad networks of agencies and our Delmarva office is committed to moving food all across Sussex County, wherever there is need.

Please enter the current support your organization receives

216,418.00

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

Description Program Execution

Amount 11,996.00

Description Personnel

Amount 223,542.00

Description Freight and Packaging

Amount 49,290.00

Description Fundraising

Amount 2,608.00

Description Office and Administrative

Amount 38,121.00

TOTAL EXPENDITURES 325,557.00

**TOTAL DEFICIT FOR
PROJECT OR
ORGANIZATION** -109,139.00

Name of Organization The Society of St. Andrew, Inc.

**Applicant/Authorized
Official** Jean Siers

Date 07/05/2023

Affidavit
Acknowledgement

Yes

The Society of Saint Andrew Inc.

EIN: 54-1285793 | Big Island, Virginia, United States

Other Names

SOCIETY OF ST ANDREW INC

Publication 78 Data

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC [?](#)

Copies of Returns (990, 990-EZ, 990-PF, 990-T)

Electronic copies (images) of Forms 990, 990-EZ, 990-PF or 990-T returns filed with the IRS by charities and non-profits.

✓ **Tax Year 2020 Form 990**

✓ **Tax Year 2019 Form 990**

✓ **Tax Year 2018 Form 990**

✓ **Tax Year 2018 Form 990**

✓ **Tax Year 2018 Form 990**

✓ Tax Year 2017 Form 990

✓ Tax Year 2016 Form 990

Rieley
YES. 7/3.

Casey Hall

From: notifications=d3forms.com@mg.d3forms.com on behalf of Sussex County DE
<notifications@d3forms.com>
Sent: Wednesday, June 7, 2023 5:19 PM
To: Casey Hall
Subject: Sussex County DE - Council Grant Form: Form has been submitted

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

Council Grant Form

Legal Name of Agency/Organization	La Esperanza Inc. ✓
Project Name	Comprehensive Immigration Services
Federal Tax ID	31-1606956 ✓
Non-Profit	Yes
Does your organization or its parent organization have a religious affiliation? (If yes, fill out Section 3B.)	No
Organization's Mission	La Esperanza's mission is to assist Sussex County Latinos on their journey to achieve stability, integration, and success.
Address	216 N. Race Street
City	Georgetown
State	DE
Zip Code	19947
Contact Person	Dr. Jennifer Fuqua

Contact Title	Executive Director
Contact Phone Number	302-854-9262
Contact Email Address	maryloutietz@yahoo.com
Total Funding Request	2500
Has your organization received other grant funds from Sussex County Government in the last year?	Yes
If YES, how much was received in the last 12 months?	2360
Are you seeking other sources of funding other than Sussex County Council?	Yes
If YES, approximately what percentage of the project's funding does the Council grant represent?	2
Program Category (choose all that apply)	Health and Human Services
Primary Beneficiary Category	Minority

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

650

Scope

Founded in 1996 by three Carmelite Nuns and a small group of community leaders, La Esperanza is a 501(c) 3 non-profit organization that has worked for more than 25 years serving the needs of the Latino community in Sussex County, Delaware. Since our early days, this has meant that our programs and efforts have been largely directed toward the county's growing Latino immigrant population.

La Esperanza is a bi-cultural and bilingual multi-service nonprofit agency in Sussex County that provides free culturally and linguistically appropriate programs and services in the areas of family development, immigration, victim services, and education for Hispanic adults, children and families. La Esperanza's mission is to assist Sussex County Latinos on their journey to achieve stability, integration, and success.

La Esperanza's clients are primarily from Mexico and Guatemala, but this past year we have supported individuals and families from Haiti, Thailand, Jamaica, Egypt, and Canada, among others. Immigrants are often employed in minimum wage jobs, meaning that they usually do not have the resources to access housing, legal services, or to address their emergency needs. Many families have single parent heads of household and need assistance in enrolling their children in school and accessing health services. Our programs benefit the community when we help immigrants become law abiding members of society who can contribute to the workforce, become tax payers, and educate their children.

La Esperanza is requesting a grant from the Sussex County Council to support our Immigration Services Programs, which work with Delaware immigrants in immigration law

providing them with the counsel, education, and representation necessary to navigate the U.S. immigration system. Today many Delaware immigrants have reached U.S. citizenship or permanent residency for themselves and their family through this work. As the foreign-born population continues to grow in Delaware and its surrounding areas and this population seeks to establish roots here with their families, the need for immigration legal services also grows. In response to these needs, our La Esperanza's goal is to increase capacity to serve more immigrants in Delaware in 2023 and beyond.

In 2021-2022, La Esperanza provided DOJ-accredited immigration counseling to over 800 clients, with 440 cases filed with U.S. Citizenship and Immigration Services (USCIS), 338 approved, and 46 clients completing the journey to full citizenship in the United States. La Esperanza offers citizenship classes several times a year. These include DACA renewals, work authorization applications, permanent residency applications, family-based immigration and citizenship cases, and other benefits-related applications. The citizenship process is a very difficult and time-consuming process and the road for applicants is challenging, but the end result is life-changing when a client attains citizenship.

La Esperanza supports clients seeking advice and counsel on their immigration status, assists clients in filling out documentation to complete residency and citizenship processes, refers clients to immigration attorneys when necessary, and educates clients on their rights as citizens. We measure our goals based on three tiers of service: initial consultation; application for benefits; and permanent residency or citizenship. All of our clients are processed through the first tier of initial consultation. Depending on the client's case, we then move clients to the application-for-benefits tier. Our staff works with clients to fill out packages that can be 40+ pages long. The third tier is permanent residency or full citizenship. The citizenship process can take years to complete, and for some, it may take more than a decade.

La Esperanza is requesting a grant of \$2,500 from the

Sussex County Council to support our immigration services for clients in Sussex County. We expect to reach over 1,000 clients in FY2023 through this program. Expenses include staff costs including a Program Director (DOJ-accredited), Immigration Specialist (DOJ-accredited) and Immigration Counseling Intern; and Program Costs including Application Processing (postage, etc.), Mileage (accompaniment to court, travel, etc.), CLINIC Affiliation Fees, Utilities/Technology (telephone, internet, laptops), and Supplies (textbooks, updated immigration law library, etc.).

Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request) 127,000.00

Description Program Director (DOJ-accredited)

Amount 68,000.00

Description Immigration Specialist (DOJ-accredited)

Amount 50,000.00

Description Immigration Counseling Intern

Amount 3,500.00

Description Application Processing (postage, etc.)

Amount 1,500.00

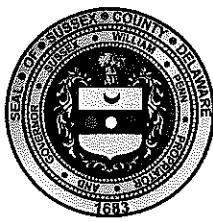
Description Mileage (accompaniment to court, travel, etc.)

Amount 1,500.00

Description CLINIC Affiliation Fees

Amount	1,000.00
Description	Utilities/Technology (telephone, internet, laptops)
Amount	2,000.00
Description	Supplies (textbooks, updated immigration law library, etc.)
Amount	2,000.00
TOTAL EXPENDITURES	129,500.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-2,500.00
Name of Organization	La Esperanza Inc.
Applicant/Authorized Official	Dr. Jennifer Fuqua
Date	06/07/2023
Affidavit Acknowledgement	Yes

Ridley.
YES 7/3



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Friends of the Georgetown Public Library, Inc. ✓

PROJECT NAME: Annual 5K Race

FEDERAL TAX ID: 51-0403103 ✓ NON-PROFIT: YES NO

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

ORGANIZATION'S MISSION: To promote the functions and services of the library, and to receive and encourage financial support for the library.

ADDRESS: 123 West Pine Street

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

CONTACT PERSON: Ivan D. Neal
TITLE: Board Member/5K Committee Chairperson

PHONE: 302.519.1928 EMAIL: ivan.neal@mchsi.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? \$500.00

If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for? YES NO

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 5-10 %

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 ¹ | <input checked="" type="checkbox"/> Other <u>Programs and Operations</u> | <input 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 ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input checked="" type="checkbox"/> Other <u>Residents of Sussex County</u> | |

BENEFICIARY NUMBER

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

50,000

SECTION 3: PROGRAM SCOPE

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

This request is made on behalf of The Friends of the Georgetown Public Library.

Our mission is to raise money in an effort to help finance the Georgetown Public Library's budget. In the past, "The Friends" have allocated funds for the Library's e-book collection, tablets with educational testing (SAT prep, Math, Learning a foreign language, Brain games, etc) and toys for the children's area.

Throughout the year "The Friends" group hosts events to raise funding that goes directly to the Georgetown Library. The events include a 5K Race/1 Mile Walk through Georgetown, and dinner auction, two book sales, etc.

All members of the community, but especially residents of Sussex County benefit from the many services the Georgetown Public Library offers. One of the greatest opportunities to residents is the use of computers and internet access to those residents who do not have internet service (or slow internet service) in their homes.

One hundred percent (100%) of this grant will be used to supplement Library programs operating costs.

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

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

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

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

SECTION 4: BUDGET

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

SECTION 5: STATEMENT OF ASSURANCES

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

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

SECTION 5: STATEMENT OF ASSURANCES (continued)

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

Iwan D. Neal

Applicant/Authorized Official Signature

June 12, 2023

Date

Sabrina L. Neal

Witness Signature

June 12, 2023

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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

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

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

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

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

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

Swan D. Neal
Applicant/Authorized Official Signature

Sabrina L. Neal
Witness Signature

Board Member
Title

June 12, 2023
Date

Friends of the Georgetown Public Library Inc.

EIN: 51-0403103 | Georgetown, Delaware, United States

Other Names

FRIENDS OF THE GEORGETOWN PUBLIC LIBRARY INC

Publication 78 Data

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC [?](#)

Form 990-N (e-Postcard)

Organizations who have filed a 990-N (e-Postcard) annual electronic notice. Most small organizations that receive less than \$50,000 fall into this category.

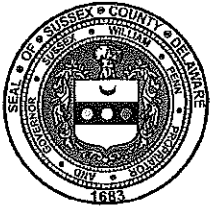
- ✓ **Tax Year 2021 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2020 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2019 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2018 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2017 Form 990-N (e-Postcard)**

✓ **Tax Year 2016 Form 990-N (e-Postcard)**

✓ **Tax Year 2015 Form 990-N (e-Postcard)**

✓ **Tax Year 2014 Form 990-N (e-Postcard)**

✓ **Tax Year 2013 Form 990-N (e-Postcard)**



Ricley
UES. 7/3

SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME:	Lillette's Foundation For The Arts, Inc. ✓		
PROJECT NAME:	Music & Me		
FEDERAL TAX ID:	74-3136617 ✓	NON-PROFIT:	<input checked="" type="radio"/> YES NO
DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?			
YES <input checked="" type="radio"/> NO *IF YES, FILL OUT SECTION 3B.			
ORGANIZATION'S MISSION:	To provide high quality music initiative programs to young people interested in pursuing studies in music and the performing arts.		
ADDRESS:	PO Box 111		
	Millsboro	DE	19966
	(CITY)	(STATE)	(ZIP)
CONTACT PERSON:	Toni Stargell		
TITLE:	President		
PHONE:	8135797744	EMAIL:	lilsfoundation2@aol.com

TOTAL FUNDING REQUEST: 4000	
Has your organization received other grant funds from Sussex County Government in the last year?	YES <input checked="" type="radio"/> NO
If YES, how much was received in the last 12 months?	
If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for?	YES NO
Are you seeking other sources of funding other than Sussex County Council?	YES <input checked="" type="radio"/> NO
If YES, approximately what percentage of the project's funding does the Council grant represent?	

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)		
Fair Housing Infrastructure ¹	<input checked="" type="checkbox"/> Other Music	<input checked="" type="checkbox"/> Educational
	Health and Human Services	Cultural
BENEFICIARY CATEGORY		
Disability & Special Needs	Victims of Domestic Violence	Homeless
Elderly Persons	Low to Moderate Income ²	<input checked="" type="checkbox"/> Youth
Minority	Other	
BENEFICIARY NUMBER		
Approximately the total number of Sussex County Beneficiaries served annually by this program:		
<input checked="" type="text" value="25"/>		

SECTION 3: PROGRAM SCOPE

- A. Briefly describe the program for which funds are being requested. The narrative should include the need or problem to be addressed in relation to the population to be served or the area to benefit.
- Music & Me is a music workshop designed to help young people (12-17) understand the powerful role music has on identity formation. Positive pieces of music can create a calm down of excessive energy while more active music may create stress and/or anxiety. Most young people like music and their choice of music can have a positive or negative impact on their characters and we are here to help show them the difference. Our day will be filled with music, instructors, musicians, DJ's, dance, lunch and more.

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

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

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

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

SECTION 4: BUDGET

REVENUE	2500
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
TOTAL REVENUES	2,500.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Supplies	-\$ 1,000.00
Printing	-\$ 350.00
Rental space - includes lunch	-\$ 1,500.00
Marketing	-\$ 500.00
Instructors/Musicians/DJ	-\$ 2,000.00
Van/Transportation	-\$ 750.00
TOTAL EXPENDITURES	-\$ 6,100.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 3,600.00

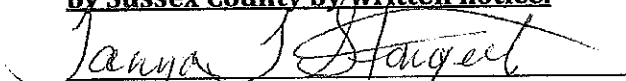
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Lillette's Foundation For The Arts agrees that:
(Name of Organization)

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

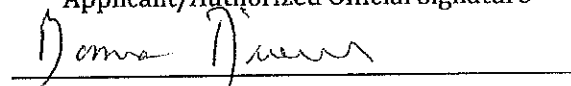
SECTION 5: STATEMENT OF ASSURANCES (continued)

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


Applicant/Authorized Official Signature

6/29/2023

Date


Witness Signature

6/29/2023

Date

Completed application can be submitted by:

Email: casey.hall@sussexcountyde.gov

Mail: Sussex County Government
Attention: Casey Hall
PO Box 589
Georgetown, DE 19947

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

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

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

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

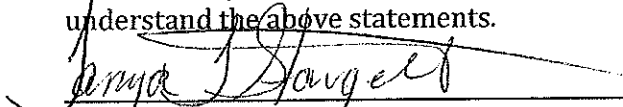
For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

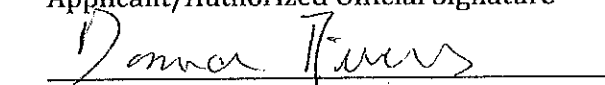
For religious organizations, all accounting records and supporting documentation shall be provided for inspection by Sussex County after the award has been made by County Council but before funding is released. Grant is relinquished if supporting documentation is not provided within one year of County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

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

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

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


Applicant/Authorized Official Signature


Witness Signature

CEO

Title

6/29/2023

Date

Lillettes Foundation for the Arts Inc.

EIN: 74-3136617 | Millsboro, Delaware, United States

Other Names


LILLETES FOUNDATION FOR THE ARTS INC

LILLETTE FOUNDATION

Publication 78 Data

Organizations eligible to receive tax-deductible charitable contributions. Users may rely on this list in determining deductibility of their contributions.

On Publication 78 Data List: Yes

Deductibility Code: PC 

Form 990-N (e-Postcard)

Organizations who have filed a 990-N (e-Postcard) annual electronic notice. Most small organizations that receive less than \$50,000 fall into this category.

- ✓ **Tax Year 2022 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2021 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2020 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2019 Form 990-N (e-Postcard)**
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- ✓ **Tax Year 2017 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2016 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2015 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2014 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2013 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2012 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2011 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2009 Form 990-N (e-Postcard)**
- ✓ **Tax Year 2008 Form 990-N (e-Postcard)**

To Be Introduced: 7/18/23

Council District 3: Mr. Schaeffer

Tax I.D. No.: 334-18.00-40.01

911 Address: 20033 John J. Williams Highway, Lewes

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-4 PLANNED COMMERCIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 39.19 ACRES, MORE OR LESS

WHEREAS, on the 23rd day of November 2022, a zoning application, denominated Change of Zone No. 2001 was filed on behalf of Belmead Farm, LLC; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 2001 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential] and adding in lieu thereof the designation and C-4 Planned Commercial District as it applies to the properties hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcels of land, lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on east side of John J. Williams Highway (Rt. 24) approximately 0.31 mile southwest of Mulberry Knoll Road (S.C.R. 284) and being more particularly described in the attached legal description prepared by Parkowski, Guerke & Swayze, P.A. said parcels containing 39.19 acres, more or less.

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

To Be Introduced: 7/18/23

Council District 2: Mrs. Green
Tax I.D. No.: 235-13.00-29.01
911 Address: 14742 Gravel Hill Road, Milton

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 2.99 ACRES, MORE OR LESS

WHEREAS, on the 19^h day of September, 2022, a zoning application, denominated Change of Zone No. 1992 was filed on behalf of Reed Properties, LLC; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1992 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential] and adding in lieu thereof the designation C-2 Medium Commercial District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying on west side of Gravel Hill Road (Rt. 30) approximately 300 ft. south of Milton Ellendale Highway (Rt. 16) and the south side of Milton Ellendale Highway (Rt. 16) approximately 300 ft. west of Gravel Hill Road (Rt. 30) and being more particularly described in the attached legal description prepared by Tunnell & Raysor, P.A., said parcels containing 2.99 ac., more or less.

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

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

JOHN J. ASHMAN
DIRECTOR OF UTILITY PLANNING

Proposed Warrington Farm Expansion of the Sussex County Unified Sanitary Sewer District

PUBLIC HEARING FACT SHEET

- County Council approved the permission to prepare and post notices for the Warrington farm Expansion of the Sussex County Unified Sanitary Sewer District (West Rehoboth Area) on May 9, 2023
- The Engineering Department had received a request from Davis, Bowen & Friedel, Inc. on behalf of their client J.G. Townsend Jr. & Co. the owners/developers of parcel 334-12.00-123.01 off Old Landing Road.
- The project is a by-right subdivision.
- The project will be responsible for System Connection Charges in place at the time of request for permit.
- The property was posted on June 7, 2023, added to the website and advertised the week of June 14th and June 21st. June 20th we were asked to re-advertise and post the project for Public Hearing on July 18th at 1:30pm.
- The project was reposted on **June 22, 2023** and advertised the weeks of July 5th and 12th
- To date we have received no correspondence either in support or opposition to this annexation request.



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

RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD), TO INCLUDE ONE PARCEL ON THE WEST SIDE OF OLD LANDING ROAD. THE PARCEL IS LOCATED IN THE LEWES & REHOBOTH HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

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

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County in the vicinity of Old Landing Road, the inclusion of this area will be beneficial; and

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

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

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

NOW, THEREFORE,

BE IT RESOLVED the Sussex County Council hereby revises the boundary of the SCUSSD to encompass the lands mentioned above situated on the west side of Old Landing Road, as follows:

Beginning at a point, said point being the southernmost property corner of lands Now-or-Formerly (N/F) of J.G. Townsend Jr. Co., said point also being on the westerly ROW of Old Landing Road (SCR 274), said point further being on the SCUSSD boundary; thence leaving said ROW and proceeding by and with said SCUSSD boundary in a northwesterly direction a distance of 257'± to a point; thence in a northeasterly direction a distance of 327'± to a point; thence a northwesterly direction 541'± to a point; thence in a northeasterly direction a distance of 104'± to a point; thence in a northeasterly direction a distance of 534'± to a point; thence in a southeasterly direction a distance of 256'± to a point; thence with a curve to the left with a radius of 903.50' and a curve distance of 329.02' to a point; thence in a southwesterly direction a distance of 300'± to a point, thence in a southwesterly direction a distance of 400'± to a point, said point **being that of the BEGINNING**

NOTE: The above description has been prepared using Sussex County Tax Map 334-12.00 and Sussex County property assessment records.

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

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

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

PUBLIC NOTICE

PROPOSED WARRINGTON FARM EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (WEST REHOBOTH AREA)

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **May 9, 2023** to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), West Rehoboth Area, to include parcel 334-12.00-123.01 along Old Landing Road, being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware.

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

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

Beginning at a point, said point being the southernmost property corner of lands Now-or-Formerly (N/F) of J.G. Townsend Jr. Co., said point also being on the westerly ROW of Old Landing Road (SCR 274), said point further being on the SCUSSD boundary; thence leaving said ROW and proceeding by and with said SCUSSD boundary in a northwesterly direction a distance of 257'± to a point; thence in a northeasterly direction a distance of 327'± to a point; thence a northwesterly direction 541'± to a point; thence in a northeasterly direction a distance of 104'± to a point; thence in a northeasterly direction a distance of 534'± to a point; thence in a southeasterly direction a distance of 256'± to a point; thence with a curve to the left with a radius of 903.50' and a curve distance of 329.02' to a point; thence in a southwesterly direction a distance of 300'± to a point, thence in a southwesterly direction a distance of 400'± to a point, said point **being that of the BEGINNING**

NOTE: The above descriptions have been prepared using Sussex County Tax Map 334-12.00 and Sussex County property assessment records. The annexation contains 10.20 acres more or less.

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

The public hearing will be held on this issue at 1:30 p.m. on July 18, 2023 in the Sussex County Council Chambers, 2 The Circle, Georgetown, Delaware 19947. All interested persons, officials, residents, voters, taxpayers, property owners, or corporations in any way affected by this boundary extension are welcome to attend. There will be an opportunity for questions and answers. The Sussex County Council following the hearing, at one of their regularly scheduled meetings, will make the final decision on the boundary extension.

For further information, please call or write the Sussex County Engineering Department, 2 The Circle, Post Office Box 589, Georgetown, DE 19947 – (302) 855-1299.

Hans M. Medlarz, P.E.
County Engineer

Proposed Annexation Warrington Farm

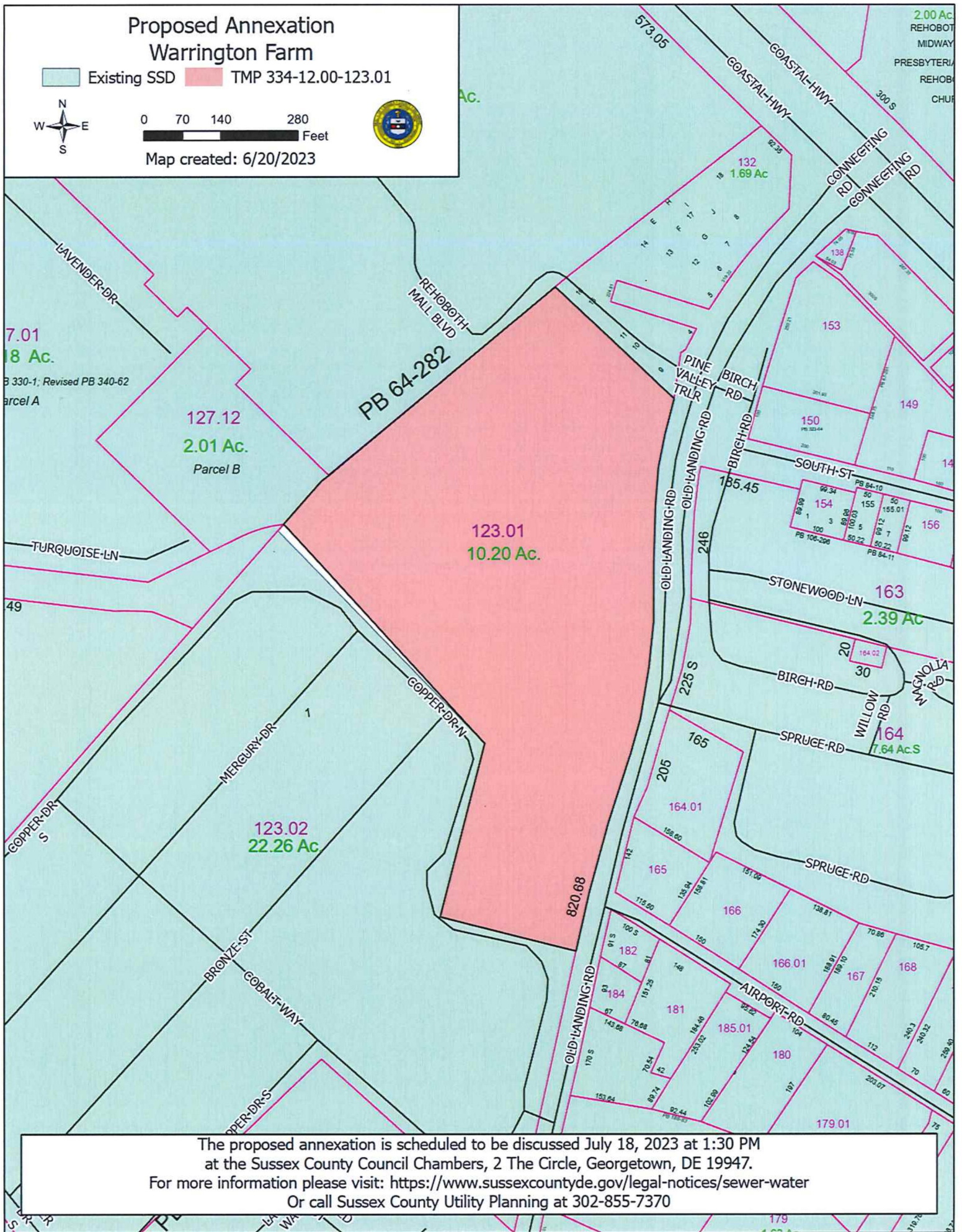
Existing SSD TMP 334-12.00-123.01



0 70 140 280 Feet



Map created: 6/20/2023



The proposed annexation is scheduled to be discussed July 18, 2023 at 1:30 PM
at the Sussex County Council Chambers, 2 The Circle, Georgetown, DE 19947.
For more information please visit: <https://www.sussexcountyde.gov/legal-notice/sewer-water>
Or call Sussex County Utility Planning at 302-855-7370

PROPOSED WARRINGTON FARM EXPANSION
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE)
:

COUNTY OF SUSSEX)

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

- A. On June 22, 2023, he was a Planning Tech for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On June 22, 2023, he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
 - 1. In the following four locations on the expansion property
 - (1) On a post in the northeasternmost property line on Rehoboth Mall Blvd, 208'± west of Old Landing Road,
 - (2) On a post in the westerly Right-of-Way (ROW) of Old Landing Road across from the entrance to Stonewood Chase, 819'± southwest of Coastal Highway,
 - (3) On a post in the westerly ROW of Old Landing Road across from Spruce Road, 376'± north of Airport Road,
 - (4) On a post in the westerly ROW of Old Landing Road across from DEC Pole 60298/06150,
 - 2. On a post in front of a STOP sign in the southerly ROW of Rehoboth Mall Blvd. at the intersection with Old Landing Road,
 - 3. On a post @ the entrance to Pine Valley MHP at the intersection of Spruce Road and Old Landing Road,
 - 4. On a post in front of a STOP sign @ the intersection of Copper Drive West and Old Landing Road, at the entrance to Sterling Crossing,
 - 5. On a post in front of a STOP sign @ the intersection of Breezewood Drive and Old Landing Road at the entrance to Breezewood Subd.


PHILLIP C. CALIO

SWORN TO AND SUBSCRIBED before me on this 22nd day of June A.D., 2023


NOTARY PUBLIC

My Commission Expires 6/14/2024



JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
pandz@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: July 12, 2023

RE: County Council Report for C/U 2421 filed on behalf of Jonathan & Laura Brittingham

The Planning and Zoning Department received an application (C/U 2421 filed on behalf of Jonathan & Laura Brittingham) for a Conditional Use for parcels 133-19.00-21.00 and 22.00 for an events venue. The property is located at 22518 Phillips Hill Road, Millsboro. The parcel size is 46.17 acres +/-.

The Planning & Zoning Commission held a Public Hearing on the application on June 8, 2023. At the meeting of June 22, 2023, the Planning & Zoning Commission recommended approval of the application for the 8 reasons stated and subject to the 9 recommended conditions as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meetings of June 8, 2023, and June 22, 2023.

Minutes of the June 8, 2023, Planning & Zoning Commission Meeting

C/U 2421 Jonathan & Laura Brittingham

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EVENTS VENUE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 46.17 ACRES, MORE OR LESS. The properties are lying on the south side of Phillips Hill Road (S.C.R. 472), approximately 0.63 mile west of Revel Road (S.C.R. 410). 911 Address: 22518 Phillips Hill Road, Millsboro. Tax Map Parcels: 133-19.00-21.00 & 22.00.

Mr. Whitehouse advised the Commission that submitted into the record were the Staff Analysis, the Applicant's Conceptual Site Plan, the DeIDOT Service Level Evaluation Response, and a letter from



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

the Sussex County Engineering Department Utility Planning Division. Mr. Whitehouse advised the Commission that zero comments were received for the Application.

The Commission found that Ms. Mackenzie Peet, Esq., with Saul Ewing, LLP, spoke on behalf of the Applicants, Jonathan & Laura Brittingham, who were also present. Ms. Peet stated the Applicant's are requesting a Conditional Use of land in the AR-1 (Agricultural Residential) district for their property located on Phillips Hill Rd. in Millsboro; that the aerial imagery shown on Sussex County's mapping is not up to date, as the reflected chicken houses have been removed; that the site is beautiful; that the Brittingham's home is located on an adjacent parcel; that the proposed use of an event venue is to be located primarily to the right of the site; that in the event of rain, events may potentially be held in what is currently an equipment garage, that will be repurposed contingent on the approval of the Conditional Use request; that proposed parking areas are shown on the Site Plan, with an overflow parking area located toward the front of the site; that the majority of the property is zoned AR-1 (Agricultural Residential), with a small corner portion of the property being zoned GR (General Residential); that the Future Land Use classification is Low Density, except for the small corner portion which is classified as an Existing Development area; that Brittingham Farms was originally a green farm located in Millsboro; that the farm is almost a century old and has been open to the public, selling products grown on-site; that the public has benefitted from the access to their lavender fields since 2020; that Mr. & Mrs. Brittingham did more with the site during the COVID-19 pandemic and the site became a designated agritourism site; that on the Department of Agriculture's website, Brittingham Farms is specifically known for their Lavender and Land experience; that the lavender bloom season is between June to August; that those who visit the farm have the opportunity to walk through the lavender fields; that there is a total of 3,200 lavender plants currently; that patrons can watch distillation of all the lavender plants, where the plants are turned into oil; that the Applicant's sell a lot of products in the area; that Brittingham Farms collaborates with many local philanthropic, educational and charitable groups, which include the Lewes Historical Society who carries their culinary lavender along with their soaps, bath bombs and dried lavender bundles; that they work with local breweries, wineries and restaurant owners, who are looking to create lavender inspired food and beverages; that some examples are Mr. Dru Tevis, Chef with SoDel is working on menu items for lavender baked goods, Salted Vines Winery in Dagsboro and Revelation Brewery who intend to create lavender inspired beverages; that there have been other farm to table styled dinners held at local restaurants; that Brittingham Farms is listed as one of the Department of Agriculture's agritourism attractions in Sussex County, as defined by the State definition, located in Chapter 3, §306(A) of Title 9, stating any activity that allows members of the general public to view or enjoy rural activities, including farming, ranching, wineries, historical culture, or harvest your own activity, guided or self-guided tours, bed and breakfast accommodations or temporary outdoor recreation activities; that the definition goes on to include a number of other activity and experience examples; that Brittingham Farms requests to expand its offerings to allow for onsite events that may not otherwise fall within the agritourism activity exemption; that the Brittingham's are looking to offer events such as weddings, showers, benefits, dinners, festivals and parties, and therefore are seeking Conditional Use approval for an event venue to include a parking area, as provided in the proposed Conditions of Approval, which she requested to submit into the record; that proposed Condition A states, there will be a 0.464 acre +/- portion located on Parcel 22, specifically located at the rear of the parcel, together with the designated garage area and designated parking areas; that parking locations can be relocated upon any concern from the Commission; that the proposed conditions also provide that any concerts, for which there is charged admission, shall be limited to Fridays, Saturdays and Sundays, ending no later than 10:00 pm on Fridays and Saturdays, and no later than 6:00 pm on Sundays; that other events, including, but not limited to, weddings, showers, benefits, dinners, festivals, and parties may be conducted on

the premise and shall end no later than 9:00 pm on Sunday through Thursday, and by 11:00 pm on Fridays and Saturdays; that it is acknowledged that certain activities as set forth in the Code previously described are permitted; that food and beverage service and music or similar entertainment in conjunction with the events venue are permissible agritourism activities and, in compliance with the Code, are permitted; that food and beverage services shall be provided by a catering service or similar service provider; that the Applicant has applied for a liquor license through the Office of Alcoholic Beverage Control (ABC) , who performed a recent inspection of the farm; that the Applicant's currently have a temporary liquor license with a final license to be issued, subject to the approval of the Conditional Use; that the Applicant's intend to have portable toilets delivered to the site for larger events, where 150 to 200 people are anticipated; that larger scale events are not to exceed 200 people; that parking shall be in compliance with the Code; that all of the parking areas will be shown on the Site Plan; that proposed Conditions G through J, list standard proposed Conditions of Approval inclusions; that the Applicants will follow up with and work with their engineer, Mr. John Roach, to get any necessary agency approvals; that the subject area is located entirely within the AR-1 (Agricultural Residential) District; that the purpose of the AR-1 District is to provide for a full range of agricultural activities and to protect agricultural lands as one of the County's most valuable natural resources, from the depreciating effect of objectional hazardous and unsightly uses; that the proposed use will be a perfect complement to agritourism and the other uses of the farm, as it offers a unique setting for events to be hosted on the farm, with a backdrop of beautiful lavender fields and sheep on the site; that the proposed use will attract visitors to the farm, who may also be interested in exploring the farms agritourism offerings, such as farm tours; that the events will provide an additional resource of revenue for the farm and enhance its overall appeal as a destination for both locals and tourists; that the purpose of a Conditional Use, as provided in §115-171, is to provide for certain uses, which cannot be well adjusted to their environment in particular locations with full protection offered to surrounding properties by rigid application of the district regulations; that these uses are generally of a public or semi-public character and our essential and desirable for the general convenience and welfare; that because of the nature of the use, the importance of the relationship to the Comprehensive Plan and the possible impact, not only on neighboring properties, but on a large section of the County, require the exercise of planning judgement on location and site plan; that the proposed use is a semi-public use, located within the Low Density area, that envisions predominantly rural landscapes, that will be enhanced by the proposed use; that Low Density areas also intend to limit commercial areas in their location, size, and hours of operation, in the attempt to avoid more intensive commercial uses; that they believe the proposed use is in character with the AR-1 District; that the Applicants have proffered the proposed Conditions of Approval to mitigate impacts on neighboring properties by limiting the area where the events will be located, as well as, the hours of operation; that the Applicants will work with their engineer, Mr. Roach, to obtain any necessary approvals to ensure safe and functional use of the properties, in connection with any event that is permitted on the site and for the reasons stated, the Applicants request the Commission's recommendation of approval for their proposed use of an event venue.

Ms. Wingate stated in the proposed Conditions of Approval it addresses concerts for which there is a charged admission; that she questioned if the same conditions would apply to concerts that are not charged, the maximum attendance anticipated onsite, and if additional parking details will be provided on the Site Plan.

Ms. Peet stated that the intention is for uncharged events, such as a wedding, that music of some kind would still be permitted; that in situations where performers provided services for free, based on her conversations with the Applicants, the proposed hours would remain the same, and due to this, the

proposed condition may need to be amended; that for a large event a maximum of 200 people are anticipated, however, the Applicants anticipate more around 150 people; that currently, the plan reflects conceptual parking areas; that with the proposed event space, there could be a varying number of people on the site, but the Applicants can place additional parking detail on the Site Plan.

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

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

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

In relation to C/U 2421 Jonathan & Laura Brittingham. Motion by Ms. Wingate to defer for further consideration, seconded by Mr. Hopkins and carried unanimously. Motion carried 4-0.

Minutes of the June 22, 2023, Planning & Zoning Commission Meeting

The Commission discussed the Application which had been deferred since June 8, 2023.

Ms. Wingate moved that the Commission recommend approval of C/U 2421 Jonathan & Laura Brittingham for an Event Venue based upon the record made during the public hearing and for the following reasons:

1. The use will occur on a .4674-acre area within a larger 46.17-acre parcel of land owned by the applicant. This larger parcel is currently being used for agricultural purposes and the record shows that it is now planted with 3,200 lavender plants.
2. The use will occur within renovated agricultural buildings and the areas surrounding those buildings.
3. This use is an extension of the prior and ongoing agricultural use of the property. It is also consistent with the agricultural uses that occur on the surrounding farmland. The use is an “agritourism” location in Sussex County.
4. The Applicant intends to hold events that include weddings, birthday parties, festivals, dinners, parties, and similar functions with limited hours.
5. The site will have sufficient areas for parking.
6. With the conditions and limitations placed upon this Conditional Use, it will not adversely affect neighboring properties or area roadways.
7. The use promotes agricultural activities in Sussex County and is an innovative agritourism destination.
8. No parties appeared in opposition to the Application.
9. This recommendation is subject to the following conditions:
 - A. The area shall be an events venue for weddings, benefits, concerts, dinners, festivals, parties, and similar activities.
 - B. The area set aside for the Conditional Use, including all areas to be used for parking, shall be clearly shown on the Final Site Plan.
 - C. All events shall end no later than 10:00 pm on Fridays and Saturdays and 6:00 pm on Sundays and the remaining weekdays.

- D. Any food and beverage service shall be provided by catering services. No permanent on-site kitchen facilities shall be permitted except for warming or final food prep as needed.
- E. Portable toilet facilities may be used during events as needed.
- F. All parking areas shall be shown on the Final Site Plan and clearly marked on the site itself. The interior driveways and parking areas shall contain sufficient space for vehicles and shuttle buses to turn around completely on the site.
- G. All activities on the premises shall comply with Fire Marshal, parking capacity, and general permitting requirements.
- H. All entrance locations shall be subject to the review and approval of DelDOT.
- I. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

Motion by Ms. Wingate, seconded by Mr. Mears and carried unanimously to recommend approval of C/U 2421 Jonathan & Laura Brittingham for the reasons and conditions stated in the motion. Motion carried 4-0. Ms. Stevenson abstained.

Vote by roll call: Mr. Mears – yea, Ms. Wingate – yea, Ms. Stevenson – yea, Mr. Hopkins – yea, Chairman Wheatley – yea

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

Ms. Wingate voted yea on her motion for the reasons and conditions stated in her motion.
Ms. Stevenson abstained.

Mr. Hopkins voted yea on the motion for the reasons and conditions stated in the motion.

Chairman Wheatley voted yea on the motion for the reasons and conditions stated in the motion.

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
sussexcountyde.gov
302-855-7878 T
JAMIE WHITEHOUSE, MRTPI, AICP
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET

Planning Commission Public Hearing Date: June 8, 2023

Application: CU 2421

Applicant: Jonathan & Laura Brittingham
22518 Phillips Hill Road
Millsboro, DE 19966

Owner: The Gary W. Brittingham & Linda L. Brittingham Irrevocable Trust
23008 Lakeview Drive
Millsboro, DE 19966

Site Location: Located on the south side of Phillips Hill Road (S.C.R. 472),
approximately 0.63 mile west of Revel Road (S.C.R. 410).

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Use: Commercial Events Venue

Comprehensive Land
Use Plan Reference: Low Density Area

Councilmanic
District: Mr. Rieley

School District: Indian River School District

Fire District: Millsboro Fire Co.

Sewer: On-Site Wastewater Disposal

Water: On-Site Well

Site Area: 46.17

Tax Map ID.: 133-19.00-21.00 & 133-19.00-22.00



JAMIE WHITEHOUSE, AICP MRTPI
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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Mr. Michael Lowrey, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: May 9th, 2023
RE: Staff Analysis for C/U 2421 Jonathan & Laura Brittingham

This memo is to provide background and analysis for the Planning Commission to consider as a part of Application C/U 2421 Jonathan & Laura Brittingham to be reviewed during the June 8th, 2023, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

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

Tax Parcel ID(s): 133-19.00-21.00, 133-19.00-22.00

Proposal: The request is for a Conditional Use for Tax Parcels 133-19.00-21.00 & 133-19.00-22.00 to allow for an events venue and parking. The property is lying on the south side of Phillips Hill Road (S.C.R. 472), approximately 0.63 mile west of Revel Road (S.C.R. 410). The parcels are comprised of 46.17 acres +/-.

Zoning: The properties are zoned Agricultural Residential (AR-1) District and split-zoned Agricultural Residential (AR-1) District and General Residential (GR) District. The adjacent parcels to the north, south, and east of the subject property are all zoned Agricultural Residential (AR-1) District with the parcels adjacent to the west zoned General Residential (GR) District.

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

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

All surrounding properties to the north, south, and east of the subject site contain the Future Land Use Map designation of “Low Density Area” with the parcels adjacent to the west along the Phillips Hill Road (S.C.R. 472) corridor designated as “Existing Development Area”.



As outlined in the 2018 Sussex County Comprehensive Plan, Low Density Areas are areas that the County envisions as “a predominantly rural landscape where farming co-exists with appropriate residential uses and permanently preserved property” (Sussex County Comprehensive Plan, 4-18). The Plan also notes that commercial uses “should be limited in their location, size and hours of operation” and “more intense commercial uses should be avoided” and commercial uses “may be appropriate depending on surrounding uses” (Sussex County Comprehensive Plan, 4-19). In terms of the adjacent Existing Development Areas, the Plan notes they consist “primarily of existing residential development under the current General Residential and Medium Density Residential zoning districts, as well as some commercial uses” and that “non-residential development consists of uses found in the neighborhood business districts and commercial districts” (Sussex County Comprehensive Plan, 4-16 & 4-17).

Further Site Considerations:

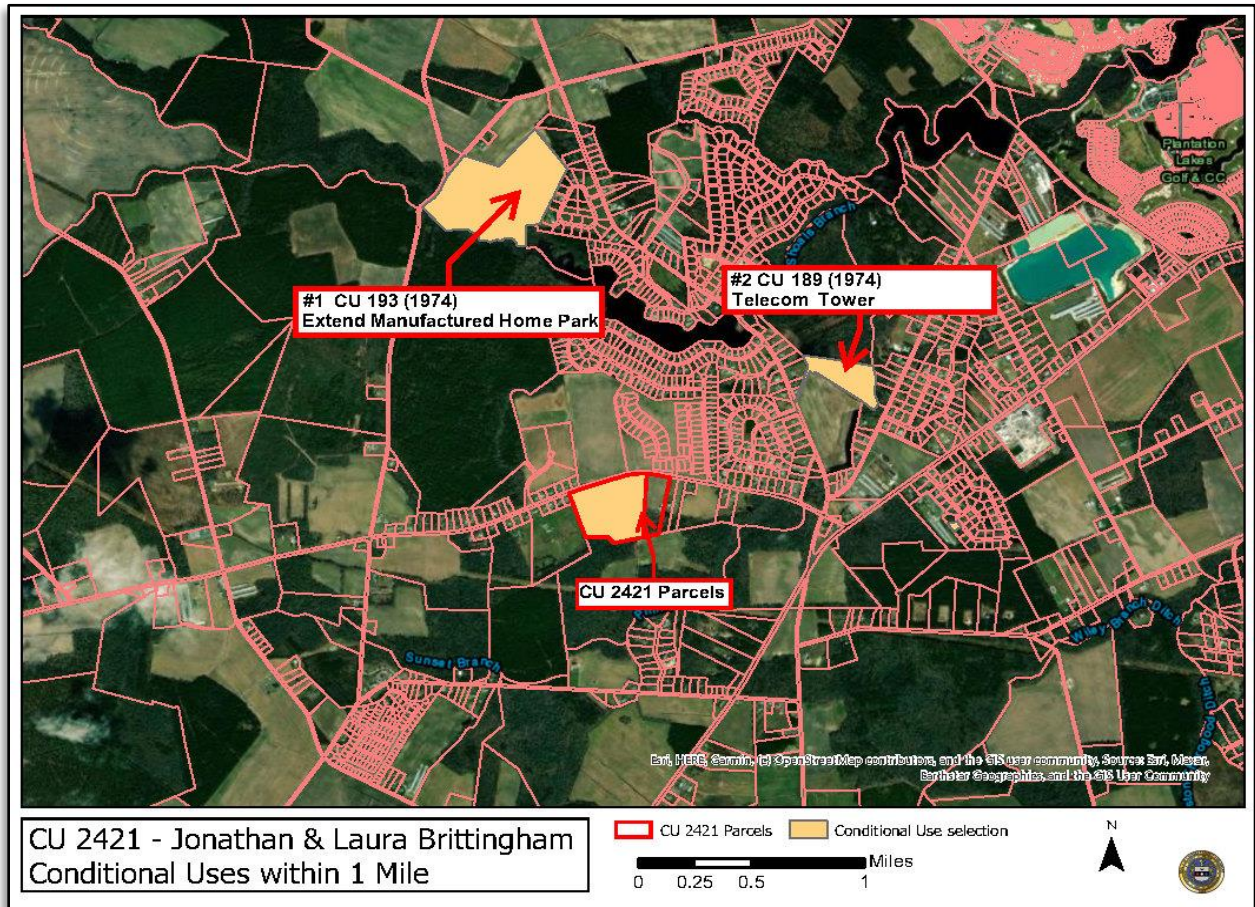
- **Density:** N/A
- **Open Space Provisions:** N/A
- **Agricultural Areas:** The site is within the vicinity of active agricultural lands.
- **Interconnectivity:** N/A – None provided.
- **Transportation Improvement District (TID):** N/A
- **Forested Areas:** N/A
- **Wetlands Buffers/Waterways:** N/A
- **Other Site Considerations (ie: Flood Zones, Tax Ditches, Groundwater Recharge Potential, etc.):** The property is located within Flood Zone X and within an area of “Fair” Groundwater Recharge Potential. The site is not located in a Wellhead Protection Area.

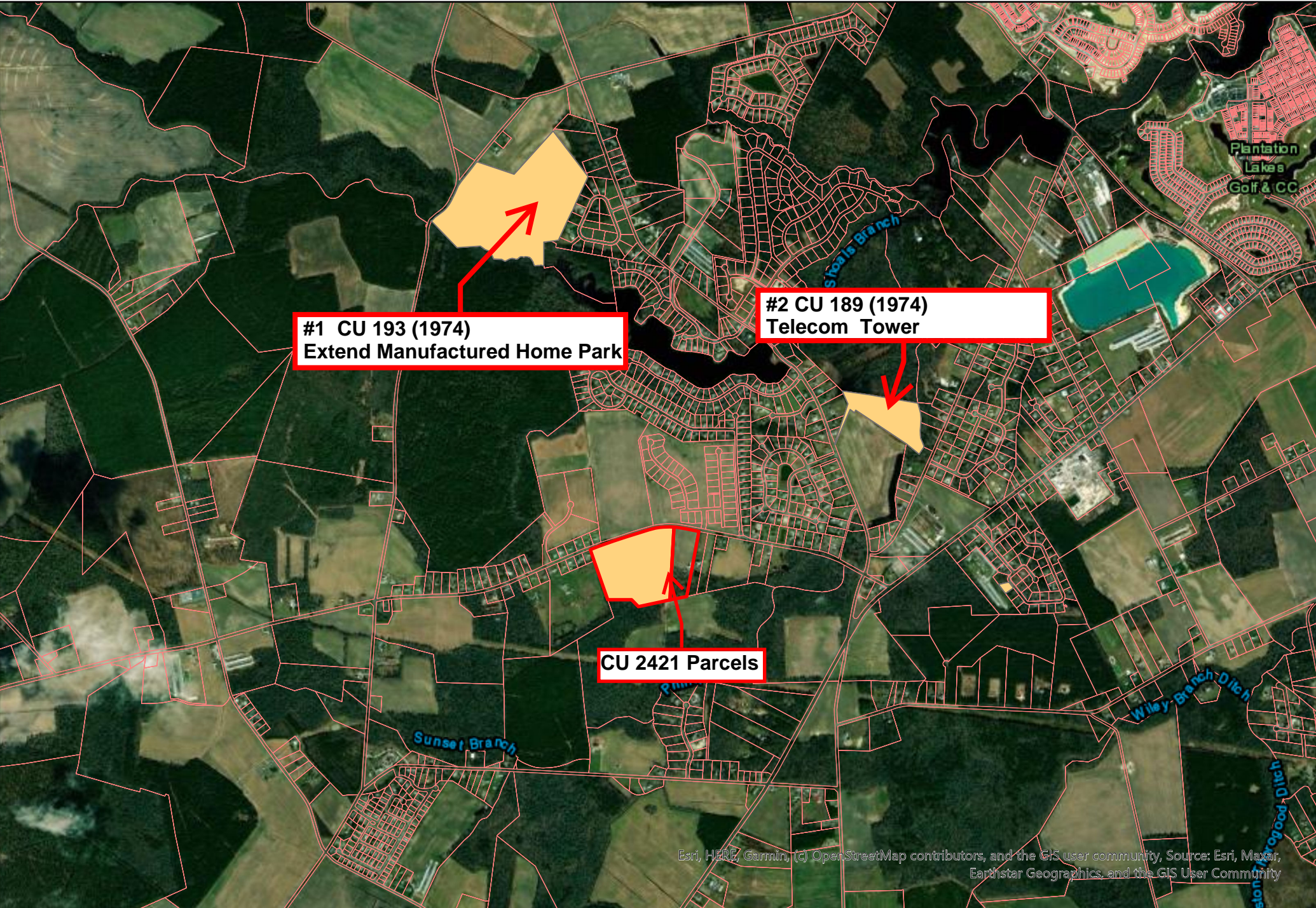
Existing Conditional Uses within the Vicinity of the Subject Site: A Data Table and Supplemental Map have been supplied which provide further background regarding the approval status of Applications in the area including the location of all other Conditional Use Applications that are greater than 1 mile distance from the subject site.

Based on the analysis of the land use, surrounding zoning and uses, a Conditional Use Application to allow for an events venue and parking, subject to considerations of scale and impact, could be considered as being consistent with the land use, area zoning and surrounding uses.

	<p>Conditional Use Applications (Within a 1-mile radius of the subject site)</p>
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Item # on Attached Map	Application Number	Application Name	Zoning District	Proposed Use	CC Decision	CC Decision Date	Ordinance Number
#1	<u>CU 193</u>	Joseph Smith	AR-1	Extend Manufactured Home Park	Approved	3/12/1974	N/A
#2	<u>CU 189</u>	Rahm Communications Corp.	AR-1	2 Way Communications Radio Tower	Approved	2/26/1974	N/A





**#1 CU 193 (1974)
Extend Manufactured Home Park**

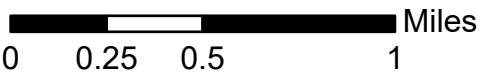
**#2 CU 189 (1974)
Telecom Tower**

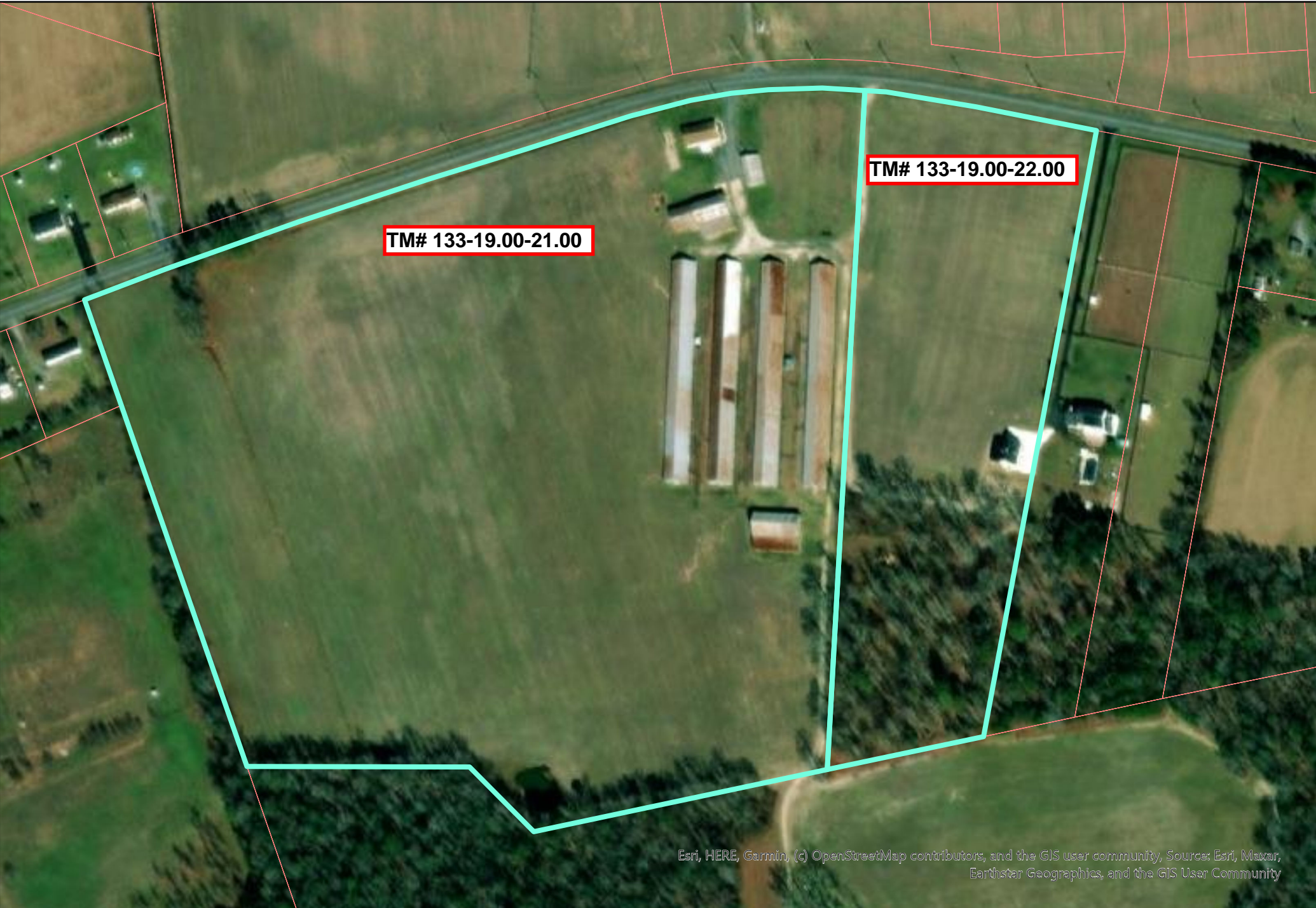
CU 2421 Parcels

Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**CU 2421 - Jonathan & Laura Brittingham
Conditional Uses within 1 Mile**


 CU 2421 Parcels  Conditional Use selection

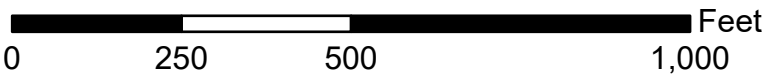


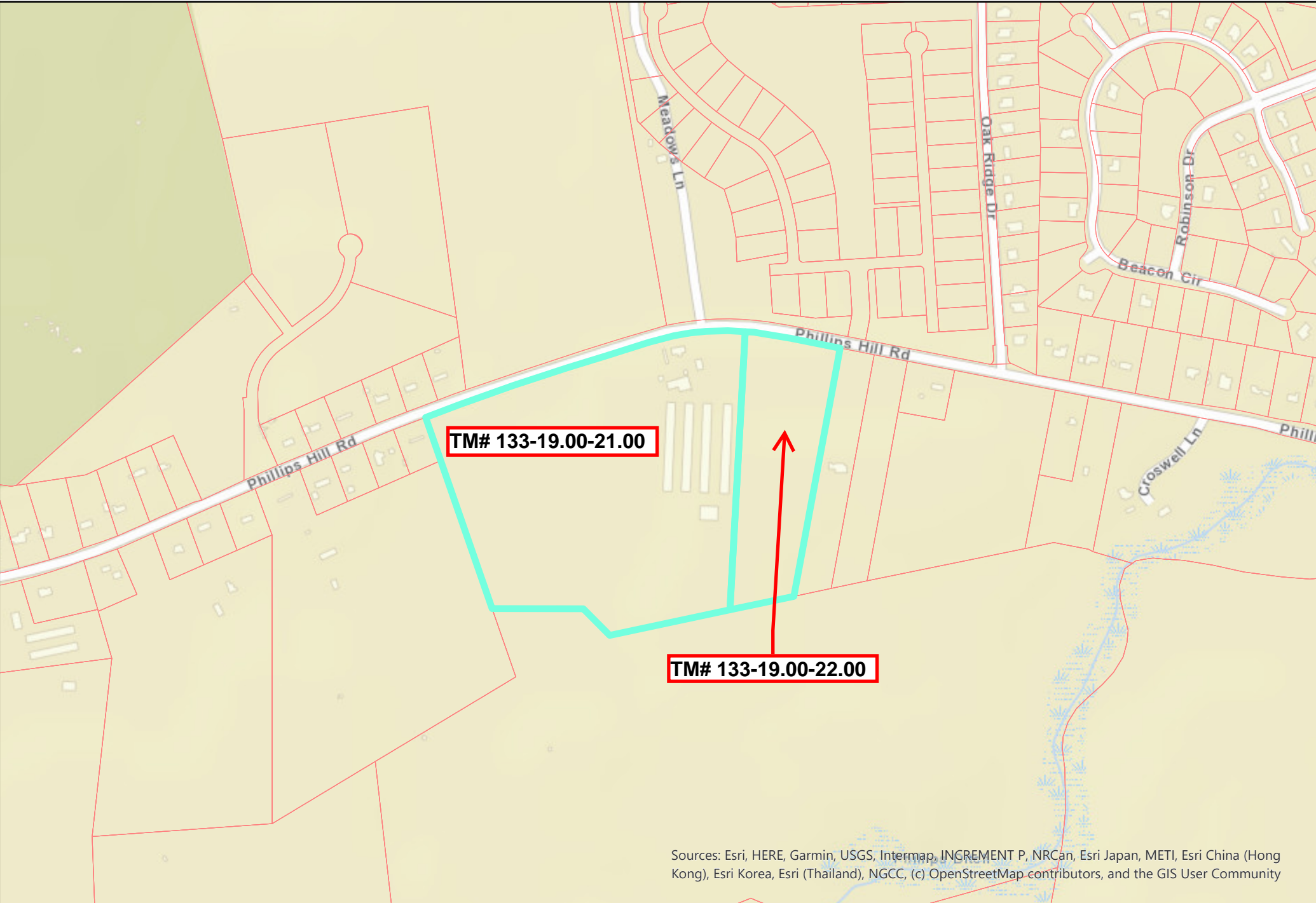


Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CU 2421 - Jonathan & Laura Brittingham Aerial Map


 CU 2421 Parcels

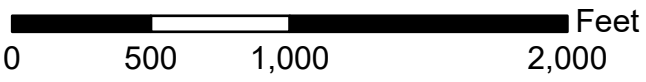

























Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

CU 2421 - Jonathan & Laura Brittingham Street Map

 CU 2421 Parcels



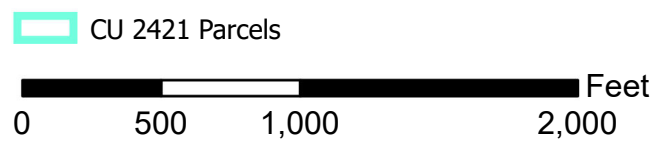
Zoning

-  Agricultural Residential - AR-1
-  Agricultural Residential - AR-2
-  Medium Residential - MR
-  General Residential - GR
-  High Density Residential - HR-1
-  High Density Residential - HR-2
-  Vacation, Retire, Resident - VRP
-  Neighborhood Business - B-1
-  Neighborhood Business - B-2
-  Business Research - B-3
-  General Commercial - C-1
-  General Commercial - C-2
-  General Commercial - C-3
-  General Commercial - C-4
-  General Commercial - C-5
-  Commercial Residential - CR-1
-  Institutional - I-1
-  Marine - M
-  Limited Industrial - LI-1
-  Light Industrial - LI-2
-  Heavy Industrial - HI-1



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community, Sussex County, Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

CU 2421 - Jonathan & Laura Brittingham Zoning Map



Introduced: 5/16/23

Council District 5: Mr. Rieley
Tax I.D. No.: 133-19.00-21.00 & 22.00
911 Address: 22518 Phillips Hill Road, Millsboro & N/A

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN EVENTS VENUE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 46.17 ACRES, MORE OR LESS

WHEREAS, on the 18th day of January 2023, a conditional use application, denominated Conditional Use No. 2421 was filed on behalf of Jonathan & Laura Brittingham; and

WHEREAS, on the ____ day of _____ 2023, 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. 2421 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2421 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 Dagsboro Hundred, Sussex County, Delaware, and lying on south side of Phillips Hill Road (S.C.R. 472) approximately 0.63 mile west of Revel Road (S.C.R. 410) and being more particularly described in the attached legal description prepared by Porcino-Wells & Woodland, LLC, said parcel containing 46.17 acres, more or less.

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



Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: July 12, 2023

RE: County Council Report for C/U 2423 filed on behalf of Jennifer C. Attix

The Planning and Zoning Department received an application (C/U 2423 filed on behalf of Jennifer C. Attix) for a Conditional Use for parcel 130-6.00-94.02 for a commercial kitchen. The property is located at 7485 Calhoun Road, Milford. The parcel size is 1.01 acres +/-.

The Planning & Zoning Commission held a Public Hearing on the application on June 8, 2023. At the meeting of June 8, 2023, the Planning & Zoning Commission recommended approval of the application for the 6 reasons stated and subject to the 10 recommended conditions as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meeting of June 8, 2023.

Minutes of the June 8, 2023, Planning & Zoning Commission Meeting

C/U 2423 Jennifer C. Attix

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL KITCHEN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.01 ACRES, MORE OR LESS.

The property is lying on the east side of Calhoun Road (S.C.R. 621), approximately 0.79 mile south of Shawnee Road (Route 36). 911 Address: 7485 Calhoun Road, Milford. Tax Map Parcel: 130-6.00-94.02.

Mr. Whitehouse advised the Commission that submitted into the record were the Staff Analysis, a copy of Architectural Plans, the Site Plan, the DelDOT Service Level Evaluation Response, and a



letter from the Sussex County Engineering Department Utility Planning Division. Mr. Whitehouse advised the Commission that two written letters had been received for the Application; that one letter was written in support and the other letter requested a fence be required from a neighboring property.

The Commission found that Ms. Jennifer Attix spoke on behalf of her application. Ms. Attix stated she lives on the property; that she requests permission to place a commercial kitchen in her garage; that she has been a massage therapist in Delaware for the past 18 years; that massage is a strenuous business; that because of the health of her body, she desires to change careers; that she does not want to be dependent on the government to support her daughter and herself; that she intends to support her daughter and herself by opening her newly proposed business; that she lost her husband in September 2021; that her heart and her body are telling her she needs to do something different concerning her career; that she and her husband would always have family and friends over for meals, and they frequently cooked together; that she had not done much cooking since her husband's death; that she is proposing a meal prep, take-out food business, to be called Kitchen Coop; that she feels it is a way she can continue her passion of feeding people, while also honoring the memory of her husband; that the concept for the Kitchen Coop is simple; that a menu will be posted on social media, containing a link to click on and order; that there will be sign up time slots under the menu items; that customers will sign up, pay, and will be provided a pick up day and time; that there will not be any offering for dining in; that the business will be take-out only; that many people work, leaving them with little time to cook, or they may not like to cook; that in these circumstances, Kitchen Coop will come in and hopefully help families in the community; that the adjacent property is owned by her aunt; that there are no houses around her property, only equipment sheds and fields; that she is not proposing any additional lighting, however, in the event she did, she did not anticipate it would impact anyone; that currently there is a fence contract signed by herself and the adjacent property owner, her aunt; that the contract states a fence will be placed between her driveway and the adjacent driveway located next to hers, per her aunt's request; that she recently received her approval to construct from the Board of Health; that the Board of Health have approved her Site Plan, commercial equipment and materials; that she has not yet began operation, as her business is brand new; that she is unsure of her proposed number of hired employees, as her business is in its beginning phase; that her business will be a family operated business; that she would estimate hiring three to four non-related employees in the future; that currently, she is unsure the amount of customers she will have; that in the beginning phase, she intend to offer a limited menu per day; that during this beginning phase, she will only be working on Mondays, as she will still be providing massage services until the new business takes off; that she anticipated as many as 50 to 100 meals be prepare on the one day; that some of the meals will be family size, serving two to four people; that other meals will be individual portions; that she anticipated no more than 25 to 30 vehicles to visit the site per day; that all customers will have assigned pick up times; that she has a good sized driveway and the property offers plenty of parking for customers; that parking can also be utilized behind her garage; that she also has a signed letter of support from Senator Dave Wilson; that Senator Wilson believes in her and the service she will be offering and she hoped the Commission would believe in her and her new business endeavor as well.

Mr. Hopkins requested details of the property, the existing driveways, the location for additional parking, and if a sign is desired.

Mr. Mears requested to confirm that the pickup times would be staggered.

Mr. Robertson requested confirmation on the proposed hours of operation and the location of the fence.

Ms. Attix stated there are two separate existing driveways; that she owns one driveway and the other driveway is owned by her aunt; that a fence will be placed between the two driveways to ensure no disturbance to her aunt's property; that parking will be provided around the garage; that millings will be placed in the parking area; that there is ample space for people to drive up, park and turn around to head out of the driveway; that additionally, she is considering placing millings behind the garage, where the commercial kitchen is to be located; that there is a door located on the site of the garage; that customers would have staggered meal pick up times and the hours of operation, not including cooking hours, would be between 3:00 pm and 6:00 pm; that currently, she works three days per week providing massage services; that she anticipates the business operating three to four days per week in the future, and she was unsure if she would want a sign in the future.

Chairman Wheatley advised Ms. Attix that even if the Conditional Use is approved, she would still be required to go through the commercial site plan process.

The Commission found that one person was present who wished to speak on the Application.

Ms. Donna Calhoun spoke in support of the Application. Ms. Calhoun stated she is the relative located on the adjacent property; that she and Ms. Attix did settle the concern relating to the installation of a fence, however, she wanted to make sure her request was placed on the record; that she requested a fence be placed between the two properties because there are vehicles that use her driveway currently; that the driveway is old tar and chip; that she did not want to see delivery trucks and other vehicles that may show up for the future business, damaging her driveway and she believed her fencing concern had been settled.

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

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

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

Mr. Hopkins moved that the Commission recommend approval of C/U 2423 Jennifer C. Attix for a commercial kitchen based on information contained in the record and for the following reasons:

1. This is an application to allow a commercial kitchen within an existing structure on property owned by the Applicant. It will occur within a 24' by 40' garage that is attached to the Applicant's home.
2. The kitchen will be used to support the Applicant's personal meal preparation and catering business, being known as the Kitchen Coop. This will be take-out only, and no dining will occur onsite.
3. Based upon the record, the use of a commercial kitchen will not generate a significant amount of traffic through deliveries or customers.
4. There are no nearby homes of other ownership, and the use will not adversely affect neighboring properties, the community, or area roadways.
5. The use provides a needed service for nearby residents and families who are unable or unwilling to cook for themselves. As a result, it has a public or semi-public use.
6. No parties spoke in opposition to this Application.
7. This recommendation is subject to the following conditions:

- A. The use shall be limited to a commercial kitchen.
- B. No sit-down dining shall be allowed on the site.
- C. Customers shall make reservations so that the food pickups are staggered to avoid traffic congestion on the site and adjacent roadways.
- D. The use shall comply with all setback and parking requirements.
- E. As stated by the Applicant, there shall be a fence constructed between the Applicant's driveway and the neighbor's driveway, so that none of the Applicant's customers use the wrong driveway.
- F. The Applicant shall comply with all DelDOT requirements.
- G. Any dumpsters or trash containers associated with the use shall be screened from view of neighboring properties and roadways.
- H. The use shall comply with any Federal, State, or Local requirements regarding wastewater and grease discharges.
- I. One lighted sign shall be permitted. It shall not be larger than 32 square feet on each side.
- J. The Final Site Plan for this use shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

Motion by Mr. Hopkins, seconded by Ms. Wingate and carried unanimously to recommend approval of C/U 2423 Jennifer C. Attix for the reasons and conditions stated in the motion. Motion carried 4-0.

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

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: June 8th, 2023

Application: C/U 2423 Jennifer C. Attix

Applicant: Jennifer C. Attix
7485 Calhoun Road
Milford, DE 19963

Owner: Jennifer C. Attix
7485 Calhoun Road
Milford, DE 19963

Site Location: Lying on the east side of Calhoun Road (S.C.R. 261), approximately 0.79 mile south of Shawnee Road (Route 36) and located at 7485 Calhoun Road in Milford, Delaware.

Current Zoning: Agricultural Residential (AR-1) District

Proposed Zoning: Agricultural Residential (AR-1) District

Proposed Use: Commercial Kitchen for takeout only. No Dining on premises.

Future Land Use Map Designation: Low Density Area

Councilmanic District: Mrs. Green

School District: Milford School District

Fire District: Carlisle Fire Company

Sewer: Private well

Water: Private Septic

Site Area: 1.01 acres +/-

Tax Map ID: 130-6.00-94.02



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PLANNING & ZONING DIRECTOR
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jamie.whitehouse@sussexcountyde.gov



Sussex County

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Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Ms. Lauren DeVore, AICP, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: May 1st, 2023
RE: Staff Analysis for C/U 2423 Jennifer C. Attix

The purpose of this Memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application C/U 2423 Jennifer C. Attix to be reviewed during the June 8th, 2023, Planning and Zoning Commission Meeting. This analysis should be included in the record of this Application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for Tax Parcel 130-6.00-94.02 to allow for a proposed commercial kitchen. Specifically, the Application is for the installation and operation of a commercial stove in the attached 24-ft by 40-ft (960 square foot) garage for takeout orders and purposes only. It should be noted that there is no proposal to provide dining on the premises. The property is located on the east side of Calhoun Road (S.C.R. 621), approximately 0.79 mile south of Shawnee Road (Route 36) at 7485 Calhoun Road in Milford, Delaware. The subject property contains 1.01 acres +/-.

Site Considerations

The DelDOT Service Level Evaluation Response indicates that the proposed use will generate fewer than 50 vehicle trips per day and that the development's traffic impact is considered "diminutive" in the context of DelDOT's agreement with the County regarding land development coordination. Therefore, no TIS is required for this proposal.

It should be further noted that the subject property is not located within any established Transportation Improvement Districts.

Additionally, the County's Online Mapping System confirms that the site is located within Flood Zone "X" – Areas determined to be outside the 1% annual chance flood and outside the 500-year floodplain. DNREC's Flood Planning Tool also indicates that the Parcel is located outside of the FEMA 100-year floodplain, is within the Mispillion River-Delaware Bay Watershed and Middle Mispillion River Subwatershed and that the estimated Ground Elevation Height at the Parcel is anywhere from 41 to 43 feet.

A Supplemental Map has been provided which shows this information as provided through DNREC's Flood Planning Tool.



Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use Map in the plan indicates that the parcel has the Rural Area Future Land Use Map Designation of “Low Density Area.” The surrounding and parcel which encompasses Parcel 94.02 on the north, south and east sides also has the Future Land Use Map Designation of “Low Density Area.”

As outlined in the 2018 Sussex County Comprehensive Plan, “The primary uses envisioned in Low Density Areas are agricultural activities and homes. Business development should be largely confined to businesses addressing the needs of these two uses. Industrial and agribusiness uses that support or depend on agriculture should be permitted. The focus of retail and office uses in Low Density Areas should be providing convenience goods and services to nearby residents” (2018 Sussex County Comprehensive Plan, 4-19). The proposal appears to address this area of providing convenience goods and services to nearby residents, which is consistent with the Comprehensive Plan.

The Parcels to the west of the subject property, which are located on the opposite side of Calhoun Road (S.C.R. 621) contain the Future Land Use Map Designation “Developing Area.” “Developing Areas” are “newer, emerging growth areas that demonstrate the characteristics of developmental pressures. Most of the proposed Developing Areas are adjacent to municipalities, within or adjacent to potential future annexation areas of a municipality, or adjacent to Town Centers (2018 Sussex County Comprehensive Plan, 4-14).

Such designations are consistent with the surrounding area, as these Parcels lie in proximity to the town limits of the City of Milford to the northeast of the proposal site.

Zoning Information

The property contains the rural zoning classification of Agricultural Residential (AR-1) District.

Table 4.5-2 “Zoning Districts Applicable to Future Land Use Categories” in the 2018 Sussex County Comprehensive Plan notes that the Agricultural Residential District is an applicable Zoning District within the “Low Density Area” Future Land Use Map Designation.

All lands on the east side of Calhoun Road (S.C.R. 621) and the west side of DuPont Boulevard (Route 113) are zoned Agricultural Residential with the exception of one large Parcel to the south which contains the Fitzgerald’s Salvage and Recycling business. The balance of the remaining surrounding lands are also zoned Agricultural Residential (AR-1) District.

All properties on the west side of Calhoun Road (S.C.R. 621) are zoned General Residential (GR) District (which are also those areas that contain the “Developing Area” Future Land Use Map Designation.)

Existing Conditional Uses within the Vicinity of the Subject Property

There have been two (2) Conditional Uses within a 1-mile radius of the Application site. Of these Applications, all two (2) were approved by the Sussex County Council.

The first Application was C/U 551 Richard and Virginia Roop, to allow for an automobile sales and repair shop to be located within an Agricultural Residential (AR-1) District. This Application was approved by the Sussex County Council.

The second Application was C/U 2298 Freeman Solar, LLC to allow for a Solar Farm to include a 75 megawatt-acre photovoltaic electric generation facility to be located within an Agricultural Residential (AR-1), General Residential (GR) and Medium Density (MR) District. This Application was recommended approval by the Planning and Zoning Commission and approved by the Sussex County Council.

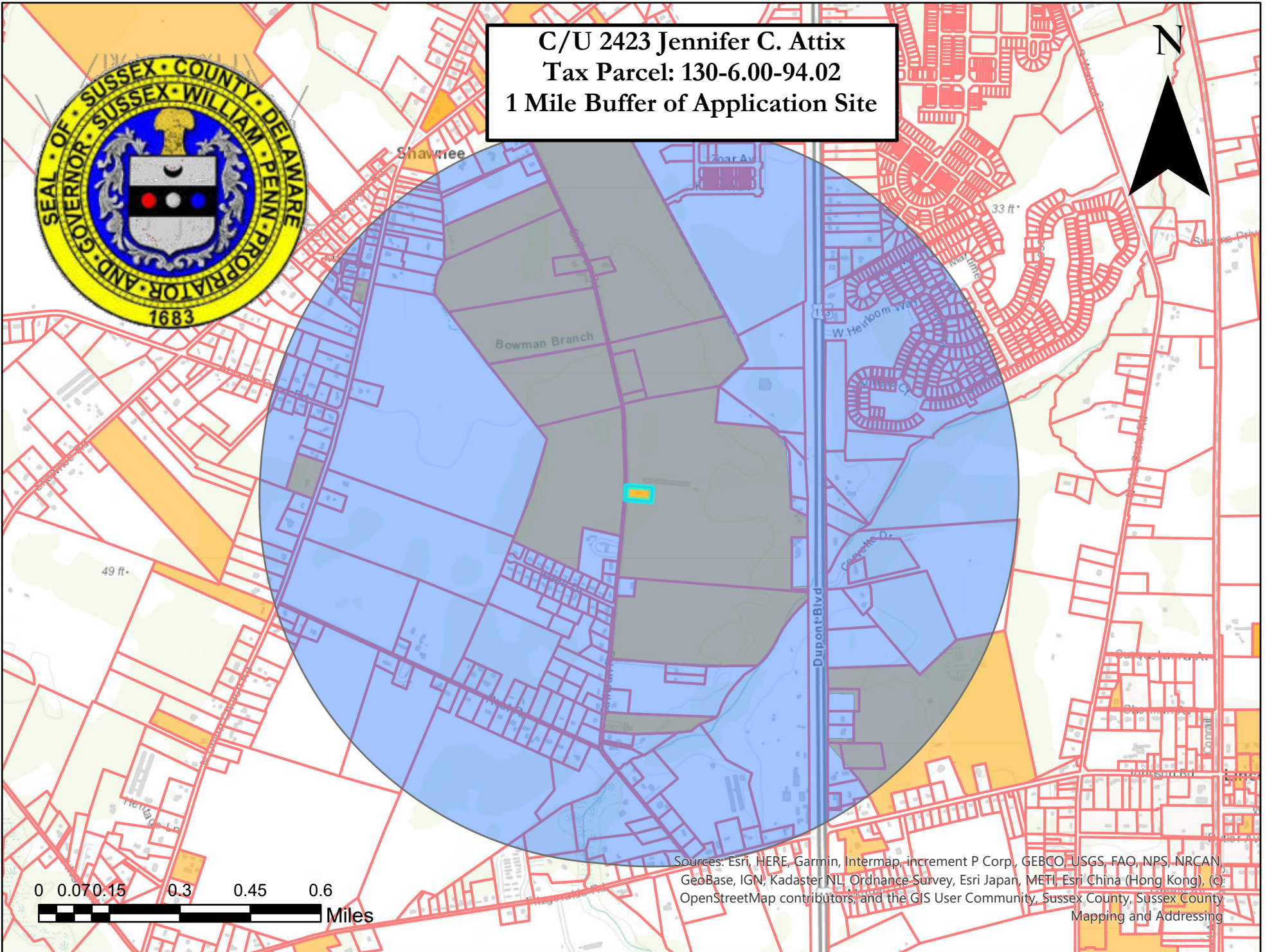
A Supplemental Table has been provided which contains further information regarding the abovementioned Conditional Use Applications which are located within a 1-mile radius of the Application site.

Based on the analysis provided, the Conditional Use to allow for a proposed commercial kitchen, and specifically, for the installation and operation of a commercial stove for takeout orders and purposes only, in this location could be considered as being consistent with the surrounding land use, zoning, and uses, subject to consideration of scale and impact.

Conditional Use Applications (w/in a 1-mile radius of the subject site)*								
Application Number	Applicant Name	Current Zoning	Proposed Use	P&Z Date	P&Z Recommendation	CC Date	CC Decision	Ordinance No.
C/U 551	Richard & Virginia Roop	AR-1	Automobile Sales & Repair Shop	N/A	N/A	10/23/1979	Approved	-
C/U 2298	Freeman Solar, LLC	AR-1, GR & MR	Solar Farm	5/26/2022	Recommended Approval	6/14/2022	Approved	2864



C/U 2423 Jennifer C. Attix
Tax Parcel: 130-6.00-94.02
1 Mile Buffer of Application Site



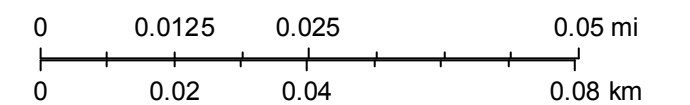
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), © OpenStreetMap contributors, and the GIS User Community, Sussex County, Sussex County Mapping and Addressing



PIN:	130-6.00-94.02
Owner Name	ATTIX JENNIFER CALHOUN
Book	4047
Mailing Address	7485B CALHOUN RD
City	MILFORD
State	DE
Description	E/RD 621
Description 2	S/RT 36
Description 3	PARCEL A
Land Code	

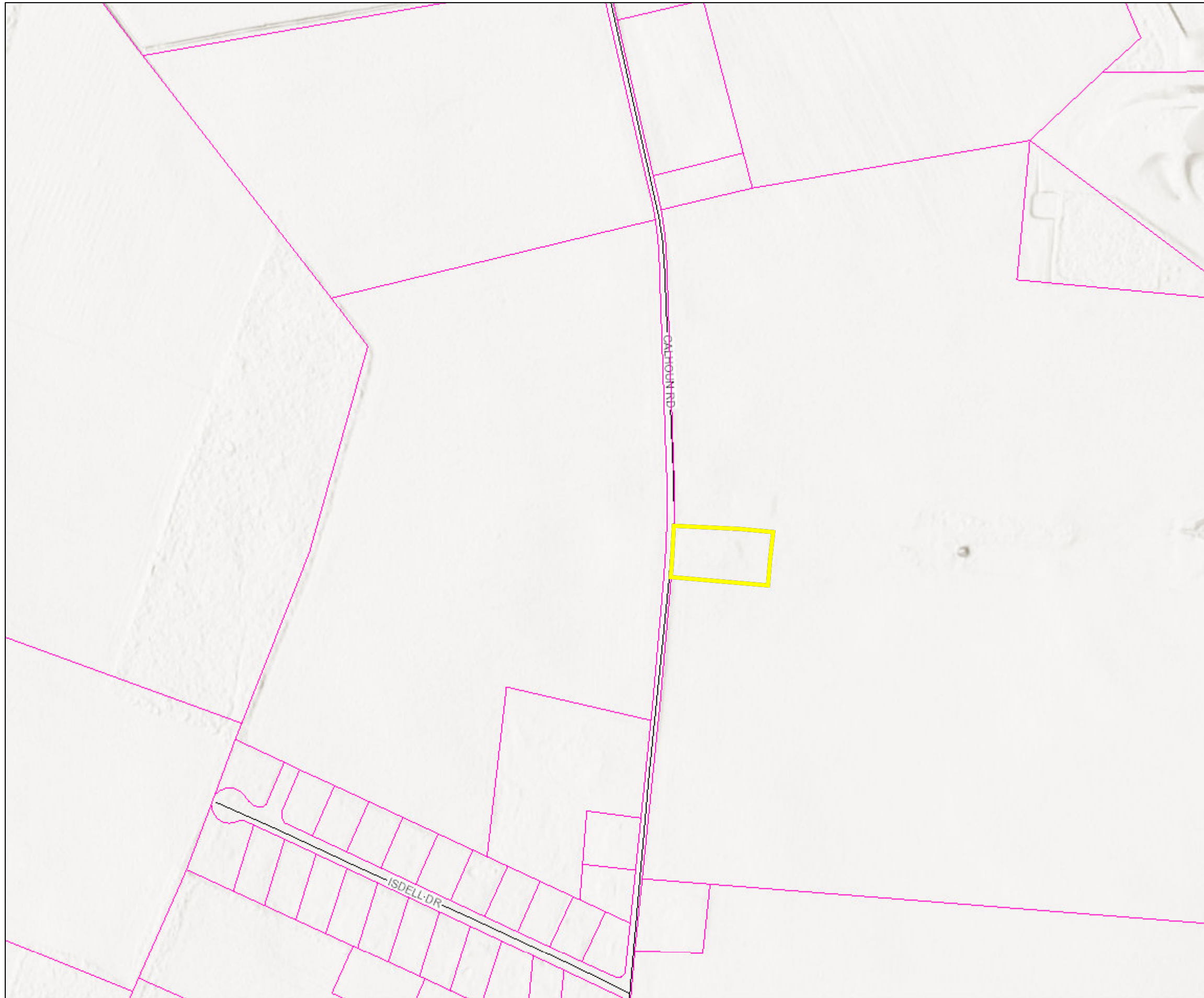
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- Tax Parcels
- 911 Address
- Streets
- County Boundaries

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Sussex County



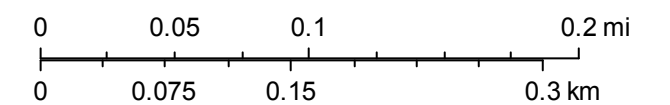
PIN:	130-6.00-94.02	
Owner Name	ATTIX	JENNIFER CALHOUN
Book	4047	
Mailing Address	7485B CALHOUN RD	
City	MILFORD	
State	DE	
Description	E/RD 621	
Description 2	S/RT 36	
Description 3	PARCEL A	
Land Code		

- polygonLayer**

 - Override 1
- polygonLayer**

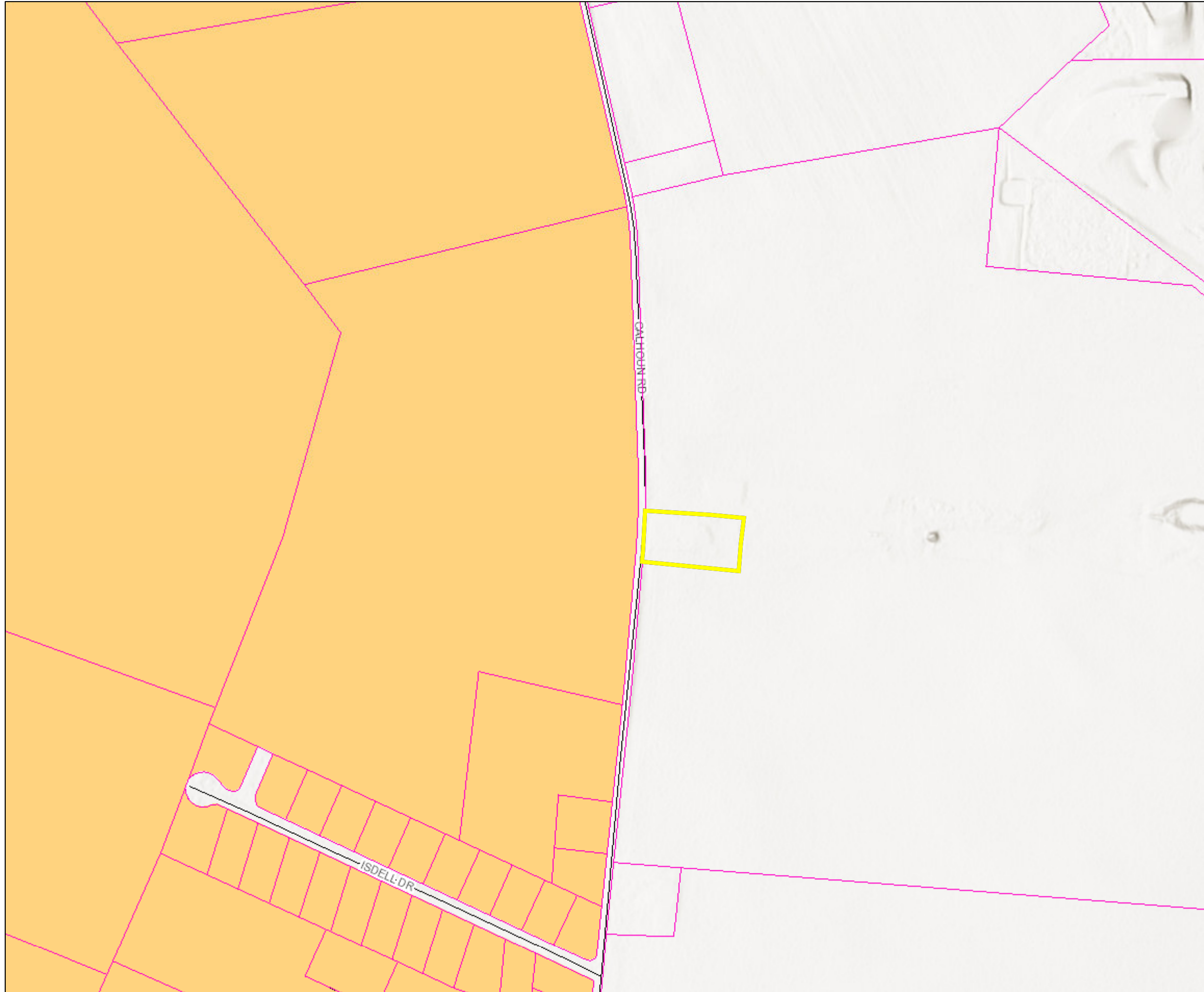
 - Override 1
- Tax Parcels
- Streets
- County Boundaries

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Sussex County



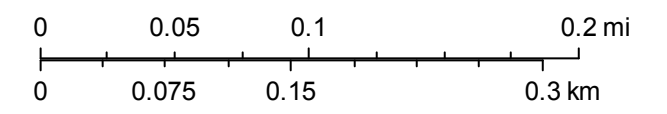
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Description 2	S/RT 36	
Description 3	PARCEL A	
Land Code		

- polygonLayer**

 - Override 1
- polygonLayer**

 - Override 1
- ⋯ Tax Parcels
- Streets

1:4,514



Introduced: 03/21/23

**Council District 2: Mrs. Green
Tax I.D. No.: 130-6.00-94.02
911 Address: 7485 Calhoun Road, Milford**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL KITCHEN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 1.01 ACRES, MORE OR LESS

WHEREAS, on the 20th day of January 2023, a Conditional Use Application, denominated Conditional Use No. 2423 was filed on behalf of Jennifer C. Attix; and

WHEREAS, on the ____ day of _____ 2023, 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. 2423 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2423 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 Cedar Creek Hundred, Sussex County, Delaware, and lying on east side of Calhoun Road (S.C.R. 621), approximately 0.79 mile south of Shawnee Road (Route 36) and being more particularly described in the attached legal description prepared by David W. Baker, Esquire, P.A. said parcel containing 1.01 acres, more or less.

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



Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: July 12, 2023

RE: County Council Report for C/U 2437 filed on behalf of James R. Powell

The Planning and Zoning Department received an application (C/U 2437 filed on behalf of James R. Powell) for a Conditional Use for parcel 134-15.00-19.02 for boat and RV storage. The property is located at 34309 Burton Farm Road, Frankford. The parcel size is 7.95 acres +/-.

The Planning & Zoning Commission held a Public Hearing on the application on June 8, 2023. At the meeting of June 22, 2023, the Planning & Zoning Commission recommended approval of the application for the 6 reasons stated and subject to the 12 recommended conditions as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meetings of June 8, 2023, and June 22, 2023.

Minutes of the June 8, 2023, Planning & Zoning Commission Meeting

C/U 2437 James R. Powell

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BOAT AND RV STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.95 ACRES, MORE OR LESS. The property is lying on the north side of Burton Farm Road (S.C.R. 373) and the west side of Blackwater Road (S.C.R. 374) at the intersection of Burton Farm Road (S.C.R. 373 and Blackwater Road (S.C.R. 374). 911 Address: 34309 Burton Farm Road, Frankford. Tax Map Parcel: 134-15.00-19.02 (p/o).

Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Conceptual Site Plan, the Staff Analysis, the DelDOT Service Level Evaluation Response, and a letter



from the Sussex County Engineering Department Utility Planning Division. Mr. Whitehouse stated that zero comments were received for the Application.

The Commission found that Ms. Judy Powell spoke on behalf of the Application. Mrs. Powell stated she represented her husband and herself; that her husband could not attend the meeting, as he drives a school bus; that they request a Conditional Use for boat and RV storage to be located on 7.95 acres of their 13.55 total acres of property; that the entrance would be located at the back of the property; that there would be a six-foot fence with barbwire on top; that they are proposing ten poles for lighting; that there will be a security camera installed; that there will be millings put in, and as the business grows, they will bring in additional millings as needed; that the site would be accessed through a 24/7 card access, which is similar to the local ones in the area, and with the card only access, no one is physically required to be located onsite.

Mr. Mears questioned if the plan was to build a few buildings, adding buildings as the demand is needed, and if a sign was desired.

Ms. Powell stated there are four buildings proposed on the plan to be located to the side of the property, and would only be upon request; that across from the property is West Village Millville by the Sea; that they anticipated the RV and boat storage be located in that area; that the buildings were placed in the plan in the case they were needed; that if the buildings are not needed, the property would be strictly for RV and boat storage and she stated she would like a sign.

Ms. Wingate stated the proposed use is certainly a need for the area with the new development in Millville and the expansion of Millville by the Sea.

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

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

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

In relation to C/U 2437 James R. Powell. Motion by Mr. Mears to defer action for further consideration, seconded by Ms. Wingate and carried unanimously. Motion carried 4-0.

Minutes of the June 22, 2023, Planning & Zoning Commission Meeting

The Commission discussed the Application which had been deferred since June 8, 2023.

Mr. Mears moved that the Commission recommend approval of C/U 2437 James R. Powell for an outdoor RV and boat storage facility within the AR-1 District based upon the record made during the public hearing and for the following reasons:

1. The Applicant seeks approval for an RV and boat storage facility on approximately 7.95 acres.
2. There is a need for the use proposed by the Applicant in this area of Sussex County. There are many nearby residential developments that prohibit the storage or parking of boats and

- RVs within them. This is an appropriate, convenient location that addresses the need for off-site storage of their boats and RVs.
3. The Applicant has stated that access will be limited and will be controlled by keycards. As a result, the use will not have a substantial impact upon area roadways.
 4. The project, with the conditions and stipulations imposed upon it, will not have an adverse impact upon the neighboring properties or community.
 5. The use as a boat and RV storage facility is of a public or semi-public character and is desirable for the general convenience and welfare of residents in this area of Sussex County.
 6. No parties appeared in opposition to this Application.
 7. This recommendation for approval is subject to the following conditions:
 - A. The use shall be limited to the storage of boats and RVs. No other storage of vehicles or equipment shall occur on the site.
 - B. The facility shall only be accessible from 6:00 am until dusk and access to the site shall be locked to prevent after-hours access.
 - C. The perimeter of the site shall be fenced with a 6-foot-high fence that screens the property from neighboring and adjacent properties and roadways.
 - D. There shall be a landscaping buffer between the outside of the fence and any adjacent residential properties to screen the use and the fence from those adjacent homes. The Final Site Plan for this use shall show the location of this buffer and it shall include a landscaping plan for it.
 - E. No sales or maintenance of boats or RVs shall occur on the site.
 - F. All security lighting shall be shielded and downward screened so that it does not shine on neighboring properties or roadways.
 - G. No more than 250 boats and RVs shall be permitted on the site.
 - H. The use shall be subject to all DelDOT requirements regarding the entrance and roadway improvements necessary to provide access to the site.
 - I. No hazardous materials or fuel shall be stored on the property other than what may be in the tanks of boats and RVs located on the site.
 - J. One lighted sign shall be permitted on the site. It shall not exceed 32 square feet in size.
 - K. No junked or unregistered boats, boat trailers, or RVs shall be stored on the site.
 - L. The final site plan shall be subject to the review and approval of the Sussex County Planning & Zoning Commission.

Motion by Mr. Mears, seconded by Ms. Wingate and carried unanimously to recommend approval of C/U 2437 James R. Powell, for the reasons and conditions stated in the motion. Motion carried 4-0. Ms. Stevenson abstained.

Vote by roll call: Mr. Mears – yea, Ms. Wingate – yea, Ms. Stevenson – yea, Mr. Hopkins– yea, Chairman Wheatley – yea

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

Ms. Wingate voted yea on the motion for the reasons and conditions stated in the motion.

Ms. Stevenson abstained.

Mr. Hopkins voted yea on the motion for the reasons and conditions stated in the motion.

Chairman Wheatley voted yea on the motion for the reasons and conditions stated in the motion.

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: June 8th, 2023

Application: CU 2437 James R. Powell

Applicant: James R. Powell
34309 Burton Farm Road
Frankford, DE 19945

Owner: James R. Powell
34309 Burton Farm Road
Frankford, DE 19945

Site Location: 34309 Burton Farm Road, Frankford. At the intersection of Burton Farm Road (S.C.R. 373 and Blackwater Road (S.C.R. 374)

Current Zoning: Agricultural Residential (AR-1) Zoning District

Proposed Zoning: N/A

Proposed Use: Boat and RV Storage

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Millville Fire Company

Sewer: Private Septic

Water: Private Well

Site Area: 7.95 acre +/-

Tax Map ID: 134-15.00-19.02 (p/o)



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



Sussex County

DELAWARE
sussexcountype.gov

Memorandum

To: Sussex County Planning Commission Members
From: Mrs. Christin Scott, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney, and applicant
Date: June 1st, 2023
RE: Staff Analysis for C/U 2437 James R. Powell

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/U 2437 James R. Powell to be reviewed during the June 8th, 2023, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for Tax Parcel 134-15.00-19.02 (portion of) to allow for a Conditional Use for RV and Boat Storage. The property is lying on the northwest corner of the intersection of Burton Farm Road (S.C.R. 373), Blackwater Road (S.C.R. 374) and Powell Farm Road (S.C.R. 365). The portion of the parcel consists of 7.95 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has land use designation of "Coastal Area." The properties to the north, east, and west all have a land use designation of "Coastal Area" with properties to the south and further east across the intersection, being located within the town limits of Millville.

As outlined in the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

Zoning Information

The property is zoned Agricultural Residential (AR-1) Zoning District. The adjacent parcels to the north, east, and west of the subject property are zoned Agricultural Residential (AR-1) District. The properties located to the south and further east of the subject site are located within the town limits of Millville.



Existing Conditional Use Applications within the Vicinity of the Subject Site

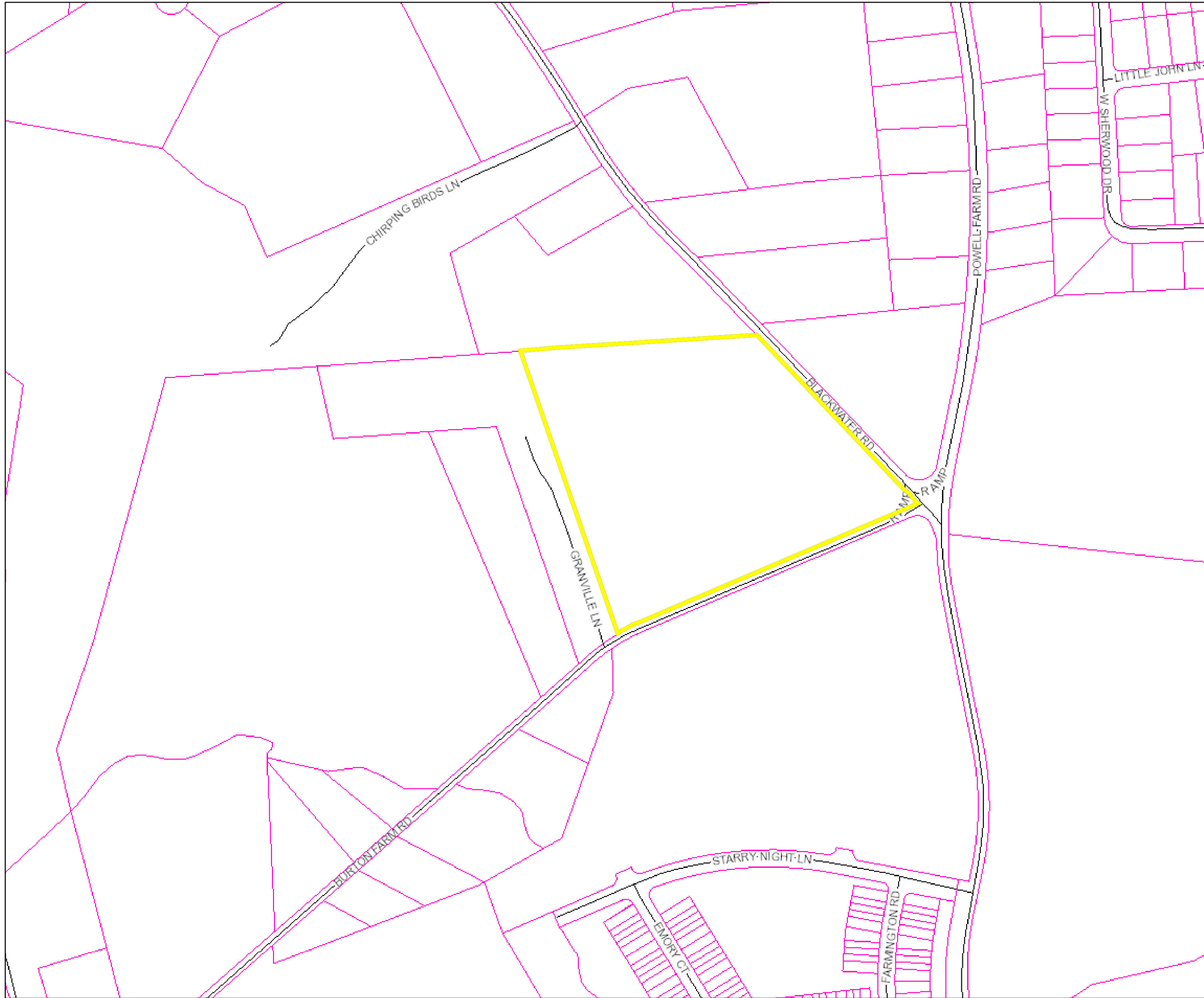
Since 2011, there have been nine (9) Conditional Use applications within a one (1) mile radius of the application site. A data table has been provided below.

Based on this analysis, a Conditional Use for RV and Boat Storage could be considered as being consistent with the land use, area zoning and surrounding uses.

Conditional Use Number	Tax Parcel #	APPLICANT	911 Address or Road Name	Proposed Use	CC Decision Date	CC Decision
2301	134-15.00-20.04	Jason Tedesco	Roxana Road	Landscaping Business	8/23/2022	Approved
2293	134-15.00-20.06	Ronald E. & Candice M. Gray	Horseplay Way & Roxana Road	Indoor/Outdoor Storage Facility	6/14/2022	Approved
2255	134-15.00-95.03	John Sommers	32650 Roxana Rd.	Bicycle sales, repair, storage	9/14/2021	Approved
2196	134-11.00-53.00	Wine Worx, LLC	32512 Blackwater Rd.	AMENDMENTS TO CONDITIONS OF APPROVAL FOR CONDITIONAL USE NO. 2127 (ORDINANCE NO. 2600)	12/17/2019	Approved
2127	134-11.00-53.00	Wine Worx, LLC	32512 Blackwater Rd	Event Venue	9/25/2018	Approved
1985	134-15.00-118.00	Eugenia Athan	(Route 17) Roxana Road	Storage Facility	5/20/2014	Approved
1969	134-11.00-207.00	Melvin L. Joseph Construction Co.	Powell Farm Road (SCR. 365)	Borrow Pit	10/15/2013	Approved
1900	134-11.00-207.00	Doris D. Turner	Powell Farm Road (S.C.R 365)	Borrow Pit	6/2/2011	Withdrawn
1894	134-15.00-3.01	Ellen Sanders & Tom Wallo	Burbage Rd	yoga studio	6/7/2011	Approved



Sussex County



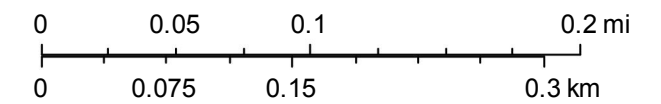
PIN:	134-15.00-19.02
Owner Name	POWELL JAMES R
Book	3007
Mailing Address	34309 BURTON FARM RD
City	FRANKFORD
State	DE
Description	NW INT RD 373
Description 2	RD 374 TRACT 1
Description 3	N/A
Land Code	

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 - Override 1
- polygonLayer**

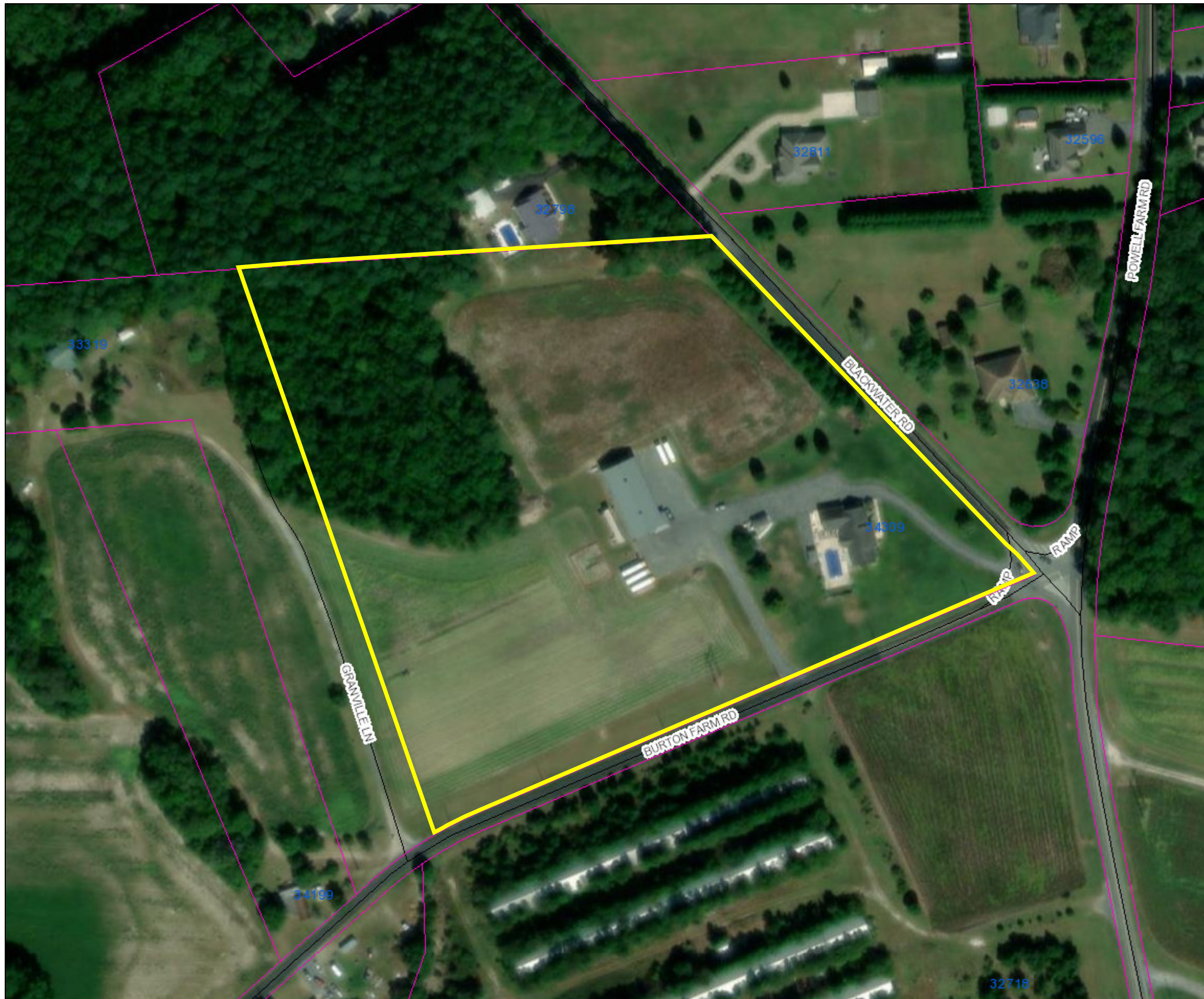
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- Tax Parcels
- Streets
- County Boundaries

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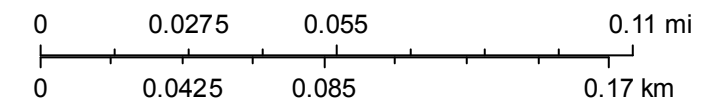
Sussex County



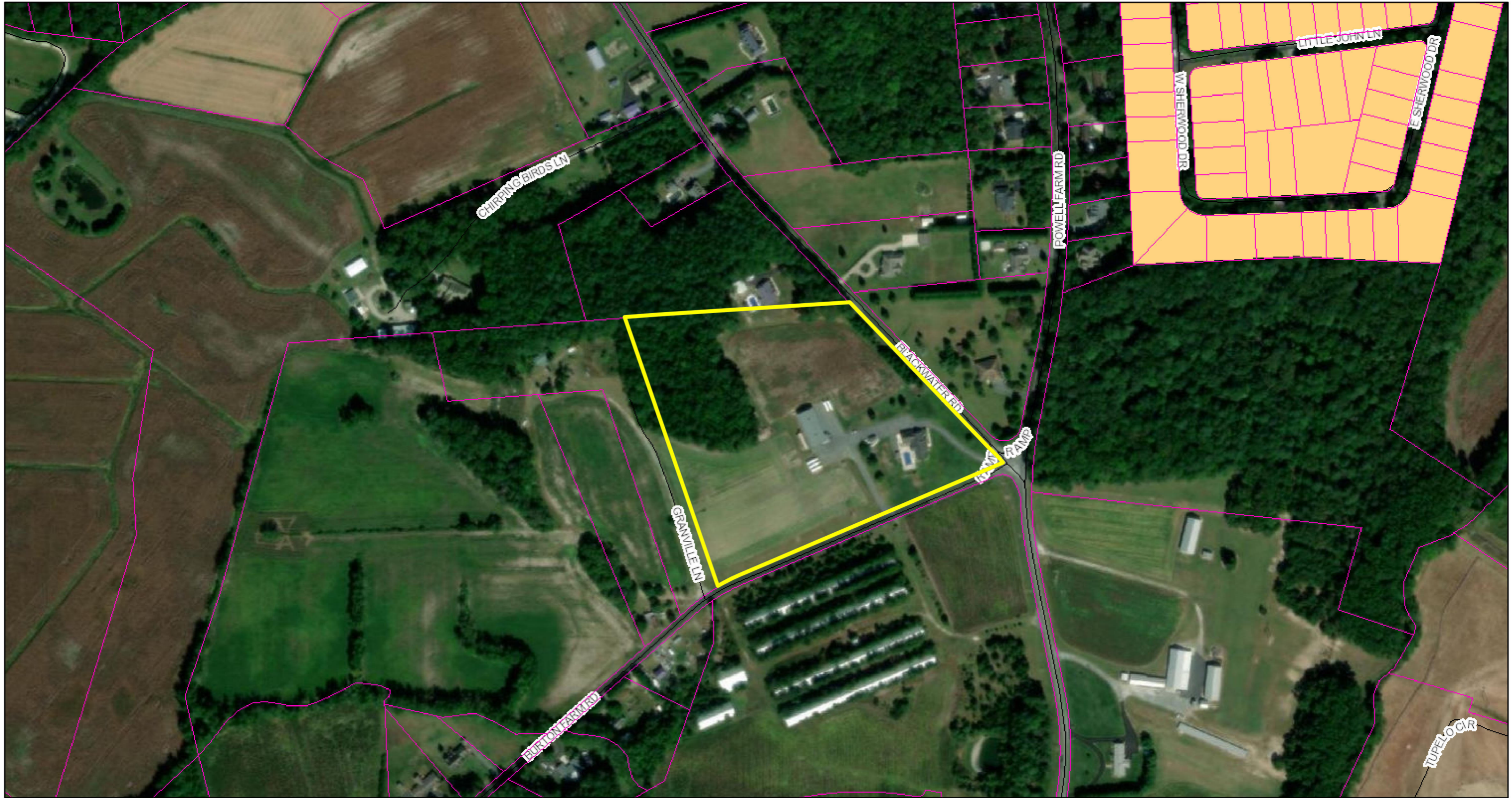
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Owner Name	POWELL JAMES R
Book	3007
Mailing Address	34309 BURTON FARM RD
City	FRANKFORD
State	DE
Description	NW INT RD 373
Description 2	RD 374 TRACT 1
Description 3	N/A
Land Code	

- polygonLayer**
- Override 1
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- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries

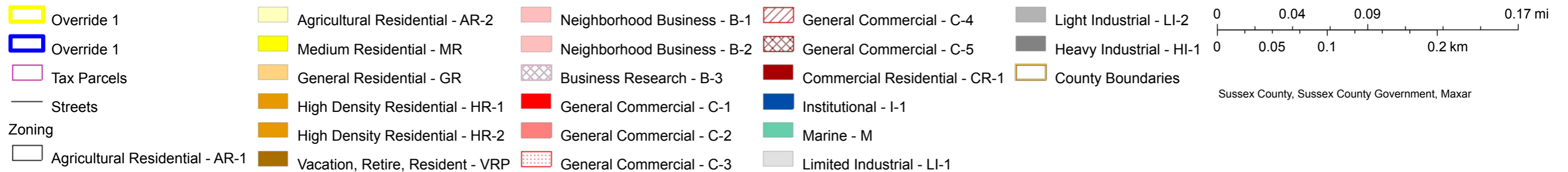
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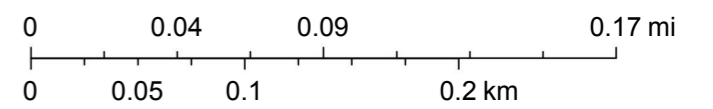
Sussex County



May 8, 2023



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Sussex County, Sussex County Government, Maxar

Introduced: 5/9/23

Council District 4: Mr. Hudson
Tax I.D. No.: 134-15.00-19.02 (p/o)
911 Address: 34309 Burton Farm Road, Frankford

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR BOAT AND RV STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 7.95 ACRES, MORE OR LESS

WHEREAS, on the 6th day of April 2023, a Conditional Use Application, denominated Conditional Use No. 2437 was filed on behalf of James R. Powell; and

WHEREAS, on the ____ day of _____ 2023, 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. 2437 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2437 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land, lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the north side of Burton Farm Road (S.C.R. 373) and the west side of Blackwater Road (S.C.R. 374) at the intersection of Burton Farm Road (S.C.R. 373) and Blackwater Road (S.C.R. 374) and being more particularly described in the attached legal description prepared by Delaware Surveying Services., said parcel containing 7.95 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.

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
pandz@sussexcountyde.gov



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: July 12, 2023

RE: County Council Report for C/Z 1982 filed on behalf of Peninsula Lakes, LLC

The Planning and Zoning Department received an application (C/Z 1982 filed on behalf of Peninsula Lakes, LLC) for a Change of Zone of parcel 234-29.00-248.04 from an MR-RPC Medium Residential District – Residential Planned Community to an MR-RPC Medium Residential District – Residential Planned Community to amend the conditions of approval of C/Z 1474 relating to the requirement to provide a park and ride facility. The property is located on the west side of Bay Farm Road (S.C.R. 299) and the east side of Starling Lane, approximately 0.56 mile southeast of John J. Williams Highway (Route 24). The parcel size is 3.2 acres +/-

The Planning & Zoning Commission held a Public Hearing on the application on June 8, 2023. At the meeting of June 22, 2023, the Planning & Zoning Commission recommended approval of the application for the 8 reasons as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meetings of June 8, 2023, and June 22, 2023.

Minutes of the June 8, 2023, Planning & Zoning Commission Meeting

C/Z 1982 Peninsula Lakes, LLC

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN MR-RPC MEDIUM RESIDENTIAL-RESIDENTIAL PLANNED COMMUNITY DISTRICT TO AN MR-RPC MEDIUM RESIDENTIAL-RESIDENTIAL PLANNED COMMUNITY DISTRICT AND TO AMEND CONDITIONS OF APPROVAL OF CHANGE OF ZONE NO. 1474 (ORDINANCE NO. 1572) RELATING TO THE REQUIREMENT TO PROVIDE A PARK AND RIDE FACILITY FOR A CERTAIN



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

PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 3.2 ACRES, MORE OR LESS. The property is lying on the west side of Bay Farm Road (S.C.R. 299) and the east side of Starling Lane, approximately 0.56 mile southeast of John J. Williams Highway (Route 24). 911 Address: N/A. Tax Map Parcel: 234-29.00-248.04.

Mr. Whitehouse advised the Commission that submitted into the record were the Staff Analysis, a letter received from the Applicant, the Site Plan, a letter received from DART within Delaware, and the Applicant's survey results of the local community. Mr. Whitehouse stated that one written comment had been received and was included within the Commission's paperless packet.

The Commission found that Mr. Tim Green, Development Manager for Peninsula Lakes, spoke on behalf of the Applicant, Peninsula Lakes, LLC, as well as the residents of the Peninsula Lakes community; that also present was Mr. Jeff Harmon with Becker Morgan Group. Mr. Green stated the Peninsula Lakes was approved in 2008 with the condition that a Park & Ride be constructed on the community, at a location determined by DART; that in 2021, as development activities moved in the direction of the proposed location for the Park & Ride, he began receiving a lot of feedback and pushback from residents related to the Park & Ride facility; that the residents came out in droves expressing their concerns for the impacts the parking lot could potentially have on their community; that as a result of this, he reached out to DART Planner, Mr. Jared Kaufmann, to learn more about what a Park & Ride facility entailed and how it might impact the community; that he was surprised to learn that DART was unaware of the imposed condition for the project, and DART had no plans to service a facility at Peninsula Lakes; that at the request of DART, he reached out to the residents to gather their input via survey; that in 2021 they surveyed 350 residents to determine if the proposed facility would be supported by them; that the results were very clear, and the residents did not want the Park & Ride; that 95% of respondents were opposed to the condition in 2021; that the most recent survey conducted in June 2023, 98% of respondents were opposed to the condition; that residents cited concerns regarding increased traffic, being the primary concern, trash, maintenance costs, insurance, loitering, pollution, and various other concerns; that Mr. Kaufmann stated the bus service could potentially start as early as 5:15 am and finish as late as 10:30 pm; that this could take place at the entrance of the Peninsula Lakes residential community; that the residents of Peninsula Lakes do not feel a residential community is an appropriate location for a Park & Ride facility, especially being located at the entrance; that the current design does not comply with current DART specifications for Park & Ride facilities, and would require re-engineering; that with this information in mind, Mr. Kaufmann, being the fixed route planner with DART, determined that DART would not service the facility if constructed; that a letter stating Mr. Kaufmann's official determination was submitted in the record; that currently, the community is obligated to build a Park & Ride facility that is not supported by the residents or by DART; that if they are still required to build the facility by the County, it would immediately become a vacant parking lot, potentially inviting unwanted behaviors by non-residents, given the location; that the community has experienced some crime throughout the last few years; that current residents and the board members desire more open space for passive recreation and enhanced landscaping, and these are the things he is prepared to provide, should the Park & Ride condition be removed; that not only is the open space welcomed by the residents, the reduction of impervious surfaces is something everyone can get behind, and for the reasons stated he requested the Commission approve the request to amend the Conditions of Approval for Peninsula Lakes, to remove Condition 7.

Mr. Hopkins questioned the number of current residents in the community and if 100% of residents were solicited.

Ms. DeVore stated Peninsula Lakes has a total of 660 units.

Mr. Green stated they have received 259 responses; that currently, the community has approximately 465 residents; that 100% of the current 465 Peninsula Lakes residents were solicited; that of those 465 residents, they received 259 responses upon the most recent survey and of the 259 responses received, 253 responses were opposed to the Park & Ride facility.

Chairman Wheatley questioned if there was a particular reason the Commission required the Park & Ride.

Mr. Robertson speculated that the condition may have been proffered by the original Applicant, as a Park & Ride is not something the Commission would have unilaterally proposed; that he did not believe the current Applicant was the original developer at the time and if the original developer stated they were going to provide the Park & Ride, the Commission would have made the condition to ensure what was proffered is provided.

Mr. Green stated he was not the original developer of Peninsula Lakes and that he is the third developer for the community.

Chairman Wheatley questioned if the Park & Ride was included on the original Site Plan, and if it was included on the Site Plan, what the reasoning for re-engineering the site would be.

Mr. Green stated there was a Site Plan submitted on record, but the Park & Ride has not been constructed at all and that if the Park & Ride is required, the whole community would not require re-engineering, but the Park & Ride area would.

Mr. Harmon, with Becker Morgan Group, stated although the project predates him, he has been associated with the Peninsula Lakes project for 21 years and he has the most knowledge of the project, that the project originally began in approximately 2001; that the current design is the fourth iteration of the overall subdivision design and initially, being four developers ago, the Park & Ride facility was proffered by the developer at that time.

Mr. Robertson stated that it did not matter what the site plan reflects; that if the Park & Ride facility is to be dedicated to DART, they would come in and completely redesign the facility, as they have uniform specifications, which do not meet what is reflected on the approved site plan.

Chairman Wheatley questioned if, in lieu of the Park & Ride facility, the area is proposed to be dedicated to open space and passive recreation.

Mr. Green stated Chairman Wheatley was correct and he intends to provide open space and passive recreation.

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

The Commission found that Mr. Jared Kaufmann, DART Representative, spoke by teleconference in support of the Application.

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

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

In relation to C/Z 1982 Peninsula Lakes, LLC. Motion by Mr. Mears to defer action for further consideration, seconded by Ms. Wingate and carried unanimously. Motion carried 4-0.

Minutes of the June 22, 2023, Planning & Zoning Commission Meeting

The Commission discussed the Application which had been deferred since June 8, 2023.

Mr. Mears moved that the Commission recommend approval of the request from Peninsula Lakes, LLC to delete Condition No. 7 contained in C/Z 1474 and Ordinance No. 1572 regarding the requirement to install a “Park & Ride” facility within the boundaries of the Peninsula Lakes MR-RPC based upon the record made during the public hearing and for the following reasons:

1. When Change in Zone No. 1474 and Ordinance No. 1572 were approved for the Peninsula Lakes MR-RPC, that approval included a condition requiring a “Park & Ride” facility within the development. Specifically, Condition No. 7 of the MR-RPC approval stated as follows:

“The development shall contain a “Park & Ride” parking and pick up facility available to the public at a location to be determined by DART and subject to Site Plan Review by DelDOT and the Planning & Zoning Commission. These improvements shall be completed within two (2) years of the issuance of the first building permit.”

2. The residents of Peninsula Lakes were surveyed about the possibility of a Park & Ride facility within their development. Comments were solicited from 100% of the existing property owners. Of the 259 results received, 253 residents did not want the Park & Ride facility within their development. That represents 98% of the people who responded. That is a substantial majority in favor of the removal of the Park & Ride condition of approval.
3. DelDOT and DTC have no objection to the removal of the Park & Ride facility. The Applicant testified that DelDOT and DTC were not aware of the proposed location and have no plans to construct a Park & Ride facility within this development. A representative of DTC confirmed this by testifying during the hearing.
4. Because DelDOT and DTC have stated that there are no plans to install a Park & Ride facility in this location and they are not going to do so, compliance with this condition is impossible. For that reason, it should be deleted.
5. Reasons given by the community in support of the removal of this condition included increased noise within the residential development; pedestrian and vehicular safety concerns; increased exhaust and pollution within the development; additional wear and tear on subdivision streets from the large buses and additional traffic; the impact of increased light pollution from the use; and other factors. These are all viable reasons and support the deletion of this condition. There is no compelling reason to place a large public transportation hub and all that is involved with that type of use within this residential community.
6. It is likely that a Park & Ride facility is appropriate for this area of the County. However, there are much more appropriate locations for such a use that are in closer proximity to Route 24,

have greater visibility to the traveling public, and are generally more accessible to everyone using the system.

7. Finally, there is no clarity in the record from the original approval justifying this Park & Ride facility in the first place.
8. For all of these reasons, it is appropriate to delete Condition No. 7 from the Conditions of Approval of the Peninsula Lakes MR-RPC.

Motion by Mr. Mears, seconded by Ms. Wingate and carried unanimously to recommend approval of the request of Peninsula Lakes, LLC, to delete Condition No. 7 contained in C/Z 1474 and Ordinance No. 1572, regarding the requirement to install a “Park & Ride” facility within the boundaries of the Peninsula Lakes MR-RPC, for the reasons stated in the motion. Motion carried 5-0.

Vote by roll call: Mr. Mears – yea, Ms. Wingate – yea, Ms. Stevenson – yea, Mr. Hopkins – yea, Chairman Wheatley – yea

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

Ms. Wingate voted yea on the motion for the reasons and conditions stated in the motion.

Ms. Stevenson voted yea on the motion for the reasons and conditions stated in the motion.

Mr. Hopkins voted yea on the motion for the reasons and conditions stated in the motion.

Chairman Wheatley voted yea on the motion for the reasons and conditions stated in the motion.

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

DELAWARE
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302-854-5079 F
JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: June 8th, 2023

Application: C/Z 1982 Peninsula Lakes, LLC

Applicant: Peninsula Lakes, LLC (c/o: Tim Green)
20184 Phillips Street
Rehoboth Beach, DE 19971

Owner: Peninsula Lakes, LLC (c/o: Tim Green)
20184 Phillips Street
Rehoboth Beach, DE 19971

Site Location: Lying on the west side of Bay Farm Road (S.C.R. 299) and the east side of Starling Lane, approximately 0.56 mile southeast of John J. Williams Highway (Route 24).

Current Zoning: Medium Density Residential, Residential Planned Community (MR-RPC) District

Proposed Zoning: Medium Density Residential, Residential Planned Community (MR-RPC) District

Proposal: Amend Condition No. 7 of Change of Zone No. 1474 (Ordinance 1572) relating to the requirement to provide a Park-and-Ride facility.

Future Land Use Map Designation: Coastal Area

Councilmanic District: Mr. Hudson

School District: Indian River School District

Fire District: Indian River Fire District

Sewer: Sussex County

Water: Tidewater

Site Area: 3.20 acres +/-

Tax Map ID: 234-29.00-248.04



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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning and Zoning Commission Members
From: Ms. Lauren DeVore, AICP, Planner III
CC: Mr. Vince Robertson, Assistant County Attorney and Applicant
Date: May 8th, 2023
RE: Staff Analysis for C/Z 1982 Peninsula Lakes, LLC

The purpose of this Memo is to provide background and analysis for the Planning and Zoning Commission to consider as a part of Application C/Z 1982 Peninsula Lakes, LLC to be reviewed during the June 8th, 2023, Planning and Zoning Commission Meeting. This analysis should be included in the record of this Application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcel 234-29.00-248.04 to amend the Comprehensive Zoning Map of Sussex County from an MR-RPC Medium Density Residential, Residential Planned Community District to a Medium Density Residential, Residential Planned Community District for a 3.01-acre +/- Parcel within the 303.00-acre +/- Peninsula Lakes Residential Planned Community (RPC). The Peninsula Lakes RPC is a Residential Planned Community comprised of five-hundred and eighty-eight (588) single-family and seventy-two (72) multifamily units, with a total of 660 units permitted under Condition No. 1 of the approved Ordinance (Ordinance No. 1572).

The proposed request is to amend Conditions of Approval for Change of Zone No. 1474 (Ordinance No. 1572) relating to the requirement to provide a Park-and-Ride Facility. Specifically, the proposed change is to strike Condition No. 7 which states, *“The development shall contain a “Park & Ride” parking and pick up facility available to the public at a location to be determined by DART and subject to Site Plan review by DelDOT and the Planning and Zoning Commission. These improvements shall be completed within two (2) years of the issuance of the first building permit.”*

Staff note that this request is being facilitated in accordance with §115-222(B) of the Sussex County Code, which states, *“Any amendment to a condition imposed as part of a conditional use ordinance or residential planned community ordinance shall be treated the same as a new application.”*

Staff note that the Park-and-Ride facility was previously approved as part of Phase #20 of the Final Site Plan by the Planning and Zoning Commission at its meeting of Thursday, October 16th, 2008. Additionally, a Revised Preliminary Site Plan for the Park-and-Ride facility was previously approved by the Planning and Zoning Commission at their meeting of Thursday, April 20th, 2017. At that time, it was mentioned that staff were awaiting updated agency approvals regarding this proposed improvement.

A virtual meeting and survey were undertaken on Thursday, August 19th, 2021, by Schell Brothers, Seascape Property Management, and the Delaware Department of Transportation’s (DelDOT’s) Delaware Transit Corporation (DTC) regarding the proposal to relocate the Park-and-Ride facility to an alternative location along Route 24 (near the Giant Food Store in Millsboro) and out of the



subdivision. The results indicated that out of 183 survey results received from the overall community that 173 respondents (representing 95% of the total 183 survey results received) did not want the Park-and-Ride facility to be located on-site within the Peninsula Lakes development as originally provided for in the Condition and reflected on the Plans and that 10 respondents (representing 5% of the total 183 survey results received) wanted to retain the Park-and-Ride on site.

It should be noted that the number of survey responses received (183 responses) equates to a representation of approximately 28% of the overall development of 660 units total. It should also be noted that the survey responses received (173 responses) indicated that approximately 26% of the overall development of 660 units total are in favor of relocating the Park-and-Ride to an alternative location outside of the development.

Lastly, in accordance with approved Condition No. 7 of the Conditions of Approval, (which required the location of the Park-and-Ride facility to be determined by DART,) the Department of Planning and Zoning has received a Letter of No Objection from the Delaware Transit Corporation (DTC) which indicates that the agency has no objection to the removal and subsequent relocation of the previously approved Park-and-Ride facility. DTC through DART is currently seeking an alternative location along Route 24 for the Park-and-Ride facility.

A copy of the Meeting Minutes from both of the aforementioned Commission Meetings as well as a copy of the original PowerPoint Presentation provided by Schell Brothers and Seascope Property Management in tandem with DART have been included as Supplemental Exhibits within the Commission's Paperless Packet this evening.



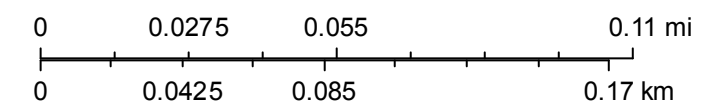
Sussex County



PIN:	234-29.00-248.04	
Owner Name	PENINSULA LAKES LLC	
Book	N/A	
Mailing Address	101 E MAIN ST STE 204	
City	MOORESTOWN	
State	NJ	
Description	PENINSULA LAKES	
Description 2	OPEN SPACE	
Description 3	N/A	
Land Code		

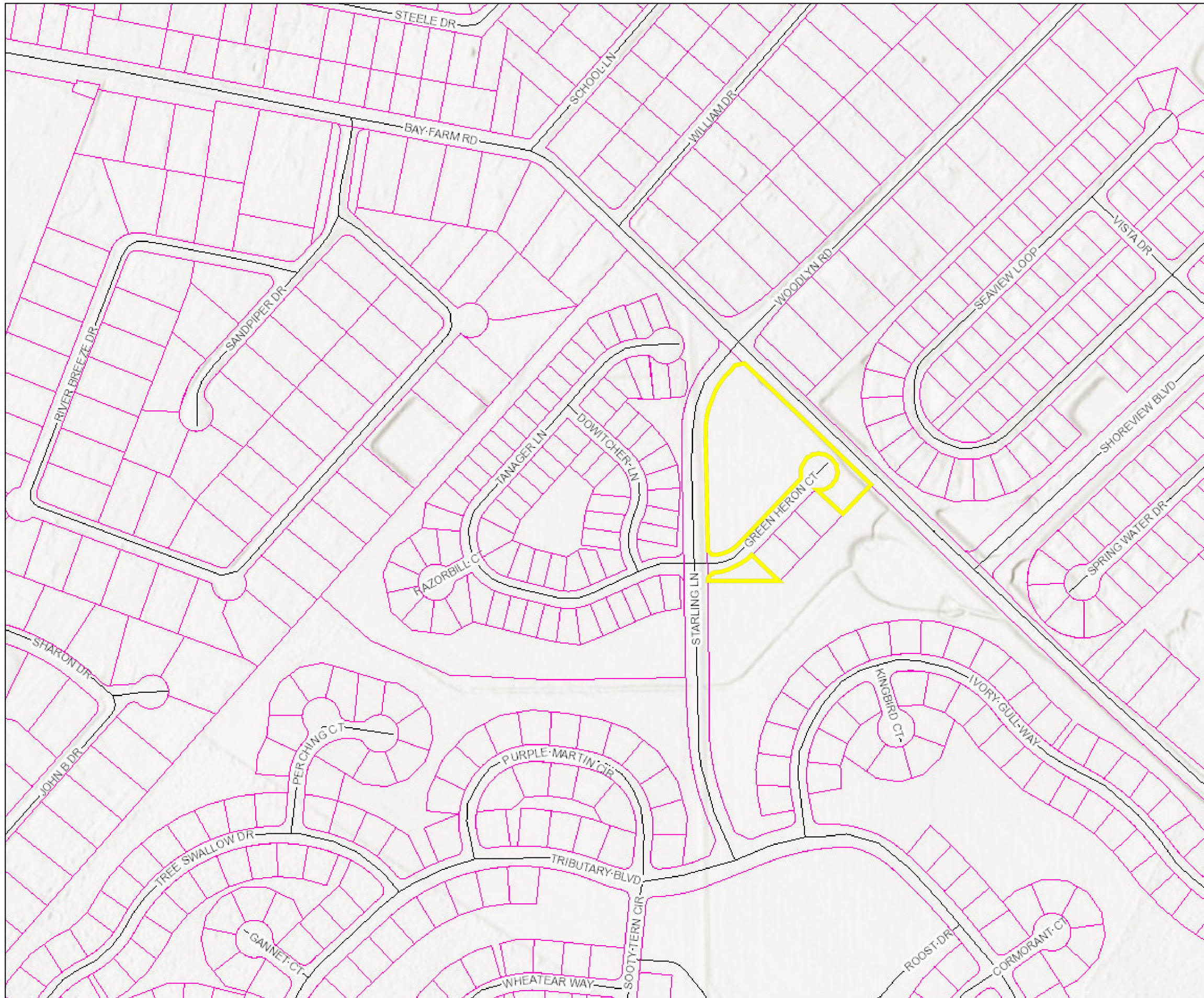
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- Tax Parcels
- 911 Address
- Streets
- County Boundaries

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Sussex County



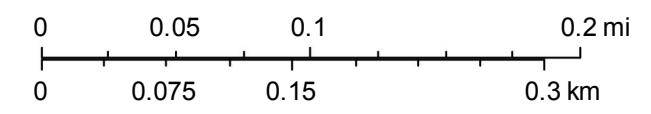
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Owner Name	PENINSULA	LAKES LLC
Book	N/A	
Mailing Address	101 E MAIN ST STE 204	
City	MOORESTOWN	
State	NJ	
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Description 2	OPEN SPACE	
Description 3	N/A	
Land Code		

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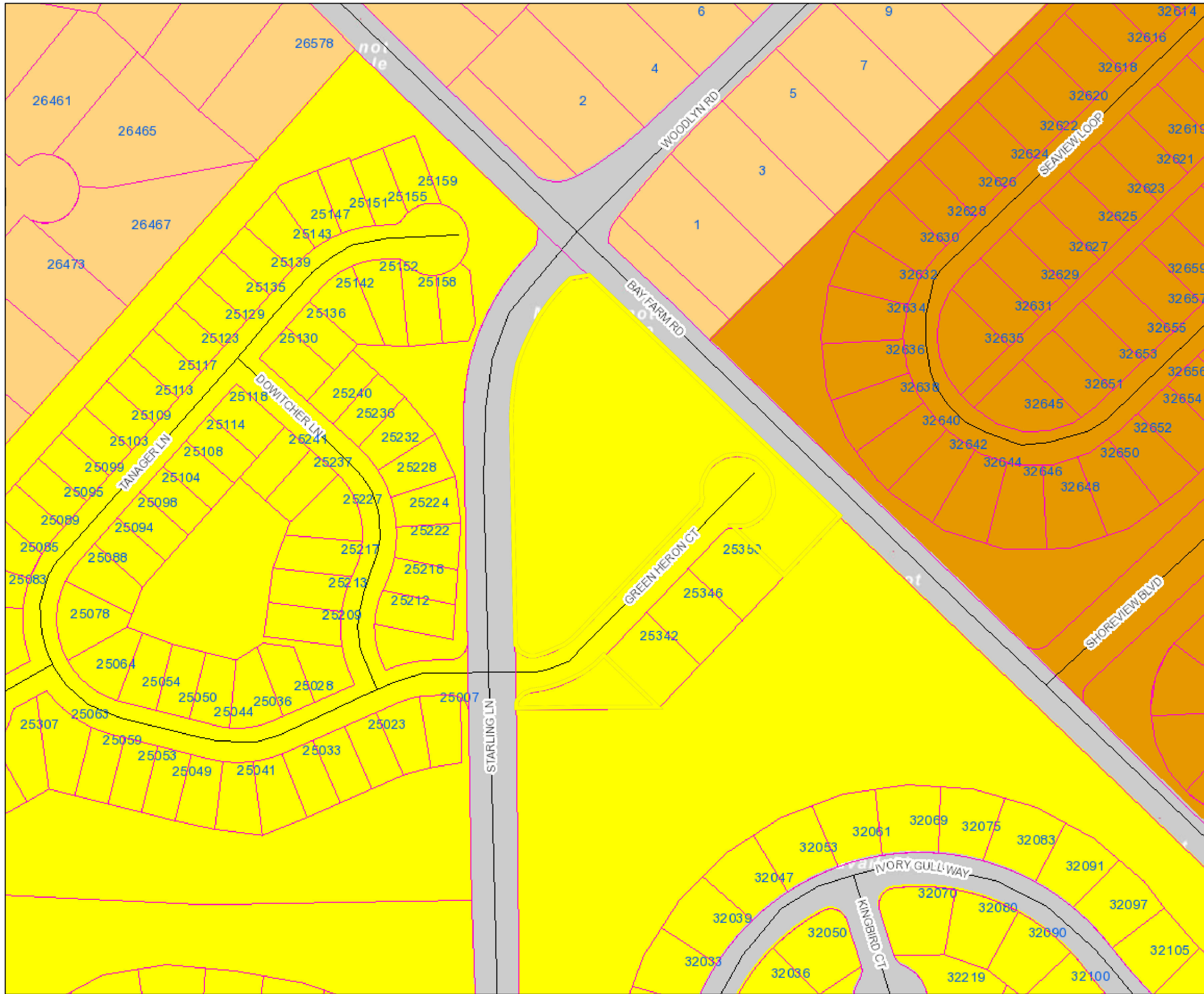
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Sussex County



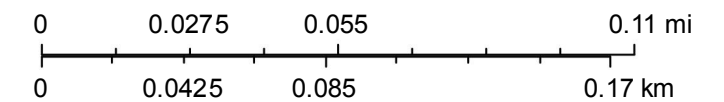
PIN:	234-29.00-248.04	
Owner Name	PENINSULA	LAKES
	LLC	
Book	N/A	
Mailing Address	101 E MAIN ST STE 204	
City	MOORESTOWN	
State	NJ	
Description	PENINSULA LAKES	
Description 2	OPEN SPACE	
Description 3	N/A	
Land Code		

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 - Override 1
- ⋯ Tax Parcels
- 911 Address
- Streets

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Introduced: 03/07/23

Council District 4: Mr. Hudson
Tax I.D. No.: 234-29.00-248.04
911 Address: N/A

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN MR-RPC MEDIUM DENSITY RESIDENTIAL – RESIDENTIAL PLANNED COMMUNITY DISTRICT TO AN MR-RPC MEDIUM DENSITY RESIDENTIAL – RESIDENTIAL PLANNED COMMUNITY DISTRICT TO AMEND THE CONDITIONS OF APPROVAL OF CHANGE OF ZONE NO. 1474 (ORDINANCE NO. 1572) RELATING TO THE REQUIREMENT TO PROVIDE A PARK AND RIDE FACILITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 303.00 ACRES, MORE OR LESS

WHEREAS, on the 12th day of April 2022, a Zoning Application, denominated Change of Zone No. 1982 was filed on behalf of Peninsula Lakes, LLC; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1982 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [MR-RPC Medium Density Residential – Residential Planned Community District] and adding in lieu thereof the designation MR-RPC Medium Density Residential – Residential Planned Community District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying on the west side of Bay Farm Road (S.C.R. 299) and the east side of Starling Lane approximately 0.56 mile southeast of John J. Williams Highway (Route 24) (and being more particularly described in the attached legal description prepared by Becker Morgan Group, Inc. said parcel containing 3.01 acres, more or less, being part of the Peninsula Lakes Residential Planned Community (RPC) containing 303.00 acres more or less.

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



Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: July 12, 2023

RE: County Council Report for C/Z 1990 filed on behalf of Beach Partners, LLC

The Planning and Zoning Department received an application (C/Z 1990 filed on behalf of Beach Partners, LLC) for a Change of Zone of parcel 235-23.00-53.02 & 53.04 from an AR-1 Agricultural Residential District and MR Medium Residential District to a C-2 Medium Commercial District. The property is located at 31169 & 31174 Learning Lane, Lewes. The parcel size is 1.76 acres +/-

The Planning & Zoning Commission held a Public Hearing on the application on June 8, 2023. At the meeting of June 8, 2023, the Planning & Zoning Commission recommended approval of the application for the 8 reasons as outlined within the motion (copied below).

Below are the minutes from the Planning & Zoning Commission meeting of June 8, 2023.

Minutes of the June 8, 2023, Planning & Zoning Commission Meeting

C/Z 1990 Beach Partners, LLC

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.76 ACRES, MORE OR LESS. The properties are lying on the southeast side of Learning Lane and the northwest side of Best Lane, at the intersection of Coastal Highway (Rt. 1) and Best Lane. 911 Address: 31169 & 31174 Learning Lane, Lewes. Tax Map Parcels: 235-23.00-53.02 & 53.04.

Mr. Whitehouse advised the Commission that submitted into the record were the Applicant's Site Plan, the Applicant's Exhibit Booklet, the DelDOT Service Level Evaluation Response, a letter from



the Sussex County Engineering Department Utility Planning Division, and the Staff Analysis. Mr. Whitehouse advised the Commission that one written letter had been received for the Application.

The Commission found that Mr. Mark Davidson, Principal Land Planner with Pennoni Associates, spoke on behalf of the Applicant and Owner, Mr. Sean Toner. Mr. Davidson stated that Mr. Toner, was unable to attend the meeting, so he would proceed on his behalf; that the Application is to request a rezoning of lands located within the AR-1 (Agricultural Residential) and MR (Medium-Density Residential) Districts, located on a total of 1.76 acres in the Broadkill Hundred; that the property is located on the west side of Coastal Hwy. and the on the north side of Best Lane; that the Applicant is requesting the lands to be rezoned to the C-2 (Medium Commercial) District; that the properties were purchased by Beach Partners, LLC on March 23, 2001; that Mr. Toner is the managing member of Beach Partners, LLC; that these properties are the home of Beach Babies and Beach Buddies childcare facilities; that the facilities have been providing care for infants to children 12 years of age, for the last 22 years, in this location; that Mr. Toner has additional locations located in Rehoboth, Milford and Townsend; that the properties are bordered on the east by Coastal Hwy., which is a principal arterial; that to the east, there is a Sussex County Sanitary Sewer Pump Station; that the property is bordered on the south side by Best Lane, which is a local road; that the property is bordered on the west side by open space and recreational area belonging to that property; that the site access is provided by Learning Lane, being accessed off Best Lane; that Delaware Guidance Services for Children is located to the north of the site; that the properties have been the subject of three approved Special Use Exceptions, dating back to March 2000, March 2002 and January 2012, in relation to the childcare center and daycare facility; that the approvals can be found within Tab 3 of the submitted booklet; that in Ordinance 2550, Sussex County Council desired to create a more specific C-2 (Medium Commercial) Zoning District, with smaller, more related uses within the district to promote better planning and predictability within Sussex County; that the purpose of the C-2 (Medium Commercial) District is to support uses that include retail sales and performance of consumer services, that permit a variety of retail professional service businesses; that the two existing facilities provide the service of daycare; that the C-2 District shall be primarily located near arterial and collector streets; that the properties are located along Coastal Hwy.; that approval of the application to C-2 for a commercial rezoning will allow Beach Partners, LLC to continue expanding their business plan of childcare facilities and programs in the community, recognizing benefits in the form of a better financial position when seeking funding, as well as to expand on promotional awareness of the programs they provide; that the proposed rezoning for this property is in the vicinity of other commercially zoned properties; that the submitted zoning maps reflect many smaller lots along the frontage, that border along Coastal Hwy. are all zoned for commercial; that there are some Conditional Uses along these areas as well, but primarily it is commercial activity happening along that section of the highway; that on the opposite side of the highway, there are commercially zoned properties; that they feel the rezoning will not diminish or impair property values within the neighborhood, will not create a public nuisance or result in any increase in public expenditures; that the site is completely built, occupying both Beach Babies and Beach Buddies on the two existing sites; that according to the 2019 Sussex Comprehensive Plan the properties are located within the Coastal Area, which is a Growth Area; that the Comprehensive Plan seeks to encourage the County's most concentrated forms of new development to Growth Areas, including commercial development; that Comprehensive Plan suggests that each application should be reviewed on its own merit to ensure that it does not have a negative impact on the surrounding area or the County in general; that the Growth Area is an area which promotes growth and development in areas where capital facilities and infrastructure already exist; that the site currently has access off Best Lane; that there are no new entrances being requested for the site; that the site is located within Tier I of the Sussex County Sanitary Sewer District; that Tidewater Utilities will provide

water to the site; that there is a future expansion of Coastal Hwy., with an overpass coming off Cave Neck Rd.; that a new northbound lane will be constructed, with the old northbound lane becoming the new southbound lane, further pushing the property away from the existing highway; that the site will have easy access to the highway system, as it will be accessed off the service road; that the rezoning will allow for continued funding for the Applicant's operations, and will allow him to promote with better signage; that currently, the Applicant is restricted to one unlighted sign of 32 sq. ft.; that the rezoning will allow him to be able to promote his business and the ability to provide awareness of the facilities services; that the Comprehensive Plan is a guide for future land use; that Table 4.5-2 provides the tool for assisting with determining the zoning districts that are applicable; that C-2 (Medium Commercial) zoning is an applicable zoning district in the Coastal Area; that Coastal Areas are areas that can accommodate development, provided special environmental concerns are addressed; that an Environmental Assessment Report was provided for the Application; that according to the State Strategies for Policies and Spending, the properties are located within Level 2 and Level 3; that the properties are located within Flood Zone X; that there are no wetlands located on the properties; that the properties are located within an Excellent Groundwater Recharge Area, as well as a Wellhead Protection Area; that the site has already been developed, and the Applicant is not requesting any further improvements; that the proposed rezoning meets the general purpose of the Zoning Ordinance, being located in an appropriate location, by meeting the purpose of the district and the Future Land Use Plan, the strategies and objectives of the Comprehensive Plan, that promotes growth and development of through community design, mobility, utilities, transportation, and economic development, in an area where a general mixture of commercial and service activities currently exist and is essential and desirable for the general convenience, orderly growth, prosperity and welfare of the County.

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

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

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

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

Mr. Mears moved that the Commission recommend approval of C/Z 1990 Beach Partners, LLC for a change in zone from AR-1 "Agricultural-Residential" and MR "Medium-Density Residential" zoning to C-2 "Medium Commercial" zoning based upon the record made during the public hearing and for the following reasons:

1. C-2 (Medium Commercial) Zoning is designed to support retail sales and the performance of consumer services. It is intended to be located near arterial and collector roads. The property's location along Route 1 satisfies this intent.
2. The Applicant's property is currently split-zoned as MR and AR-1 along Route One. It is currently used for business purposes as a daycare facility for children up to 12 years of age, approved by the County. There are also other commercially zoned properties in the area with C-1 zoning on the opposite side of Route 1 and B-1 in the immediate vicinity of this site. There are also a number of small businesses, offices, and commercial uses nearby. This is an appropriate location for C-2 zoning.

3. C-2 Zoning at this location along Route One will benefit nearby residents of Sussex County by providing a convenient location for retail uses or consumer services.
4. There is no evidence that this rezoning will have an adverse impact on neighboring properties or area roadways.
5. The site is in the “Coastal Area” according to the Sussex County Land Use Plan and Future Land Use Map. This is an appropriate location for C-2 Zoning according to the Plan.
6. The proposed rezoning meets the general purpose of the Zoning Code by promoting the orderly growth, convenience, order prosperity, and welfare of the County.
7. No parties appeared in opposition to the rezoning application.
8. Any future changes to the use of the property will be subject to Site Plan review by the Sussex County Planning and Zoning Commission.

Motion by Mr. Mears, seconded by Ms. Wingate and carried unanimously to recommend approval of C/Z 1990 Beach Partners, LLC for the reasons and conditions stated in the motion. Motion carried 4-0.

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

PLANNING & ZONING COMMISSION

ROBERT C. WHEATLEY, CHAIRMAN
KIM HOEY STEVENSON, VICE-CHAIRMAN
R. KELLER HOPKINS
J. BRUCE MEARS
HOLLY J. WINGATE



Sussex County

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JAMIE WHITEHOUSE, AICP, MRTPI
DIRECTOR OF PLANNING & ZONING

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date: June 8th, 2023

Application: CZ 1990 Beach Partners, LLC

Applicant: Beach Partners, LLC (c/o Sean Toner)
31169 Learning Lane
Lewes, DE 19958

Owner: Beach Partners, LLC (c/o Sean Toner)
31169 Learning Lane
Lewes, DE 19958

Site Location: 31169 & 31174 Learning Lane, Lewes. Lying at the intersection of Coastal Highway (Rt. 1) and Best Lane.

Current Zoning: Agricultural Residential (AR-1) Zoning District & Medium Density Residential (MR) Zoning District

Proposed Zoning: Medium Commercial (C-2) Zoning District

Proposed Use: N/A

Comprehensive Land Use Plan Reference: Coastal Area

Councilmanic District: Mr. Schaeffer

School District: Cape Henlopen School District

Fire District: Lewes Fire Company

Sewer: Sussex County

Water: Tidewater Utilities

Site Area: 1.76 acre +/-

Tax Map ID: 235-23.00-53.02 & 53.04



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



Sussex County

DELAWARE
sussexcountype.gov

Memorandum

To: Sussex County Planning Commission Members
From: Mrs. Christin Scott, Planner II
CC: Mr. Vince Robertson, Assistant County Attorney, and applicant
Date: June 1, 2023
RE: Staff Analysis for C/Z 1990 Beach Partners, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application C/Z 1990 Beach Partners, LLC to be reviewed during the June 8, 2023, Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for Tax Parcels 235-23.00-53.02 and 53.04 to allow for a change of zone from an Agricultural Residential (AR-1) District and a Medium Density Residential (MR) District to a Medium Commercial (C-2) District. The property is lying on the southeast side of Learning Lane and the northwest side of Best Lane at the intersection of Coastal Highway (Rt. 1). The parcel consists of 1.76 acres +/-.

Comprehensive Plan Analysis

The 2018 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan, a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map in the plan indicates that the subject property has land use designation of "Coastal Area." The properties to the north, east, south, and west all have a land use designation of "Coastal Area."

As outlined in the 2018 Sussex County Comprehensive Plan, Coastal Areas are areas that can accommodate development provided that special environmental concerns are addressed. A range of housing types should be permitted in Coastal Areas, including single-family homes, townhouses, and multi-family units. Retail and office uses are appropriate, but larger shopping centers and office parks should be confined to selected locations with access along arterial roads. Appropriate mixed-use development should all be allowed. In doing so, careful mixtures of homes with light commercial, office and institutional uses can be appropriate to provide for convenient services and to allow people to work close to home. Major new industrial uses are not proposed in these areas. (Sussex County Comprehensive Plan, 4-15).

The 2018 Sussex County Comprehensive Plan outlines Zoning Districts by their applicability to each Future Land Use category. Under Table 4.5-2 "Zoning Districts Applicable to Future Land Use Categories", the Medium Commercial (MR) District is listed as an Applicable Zoning District within the "Coastal Area" (Sussex County Comprehensive Plan, 4-25).



Zoning Information

The properties are zoned Agricultural Residential (AR-1) District and Medium Density Residential (MR) District. The adjacent parcels to the north are also zoned Agricultural Residential (AR-1) District. Adjacent properties to the south and west of the subject properties are also zoned Medium Density Residential (MR) District. Properties further north and across Coastal Highway (Rt. 1) are zone General Commercial (C-1) District and Neighborhood Business (B-1) District.

Existing Change of Zone Applications within the Vicinity of the Subject Site

Since 2011, there have been nine (9) Change of Zone applications within a one (1) mile radius of the application site. A table has been added below.

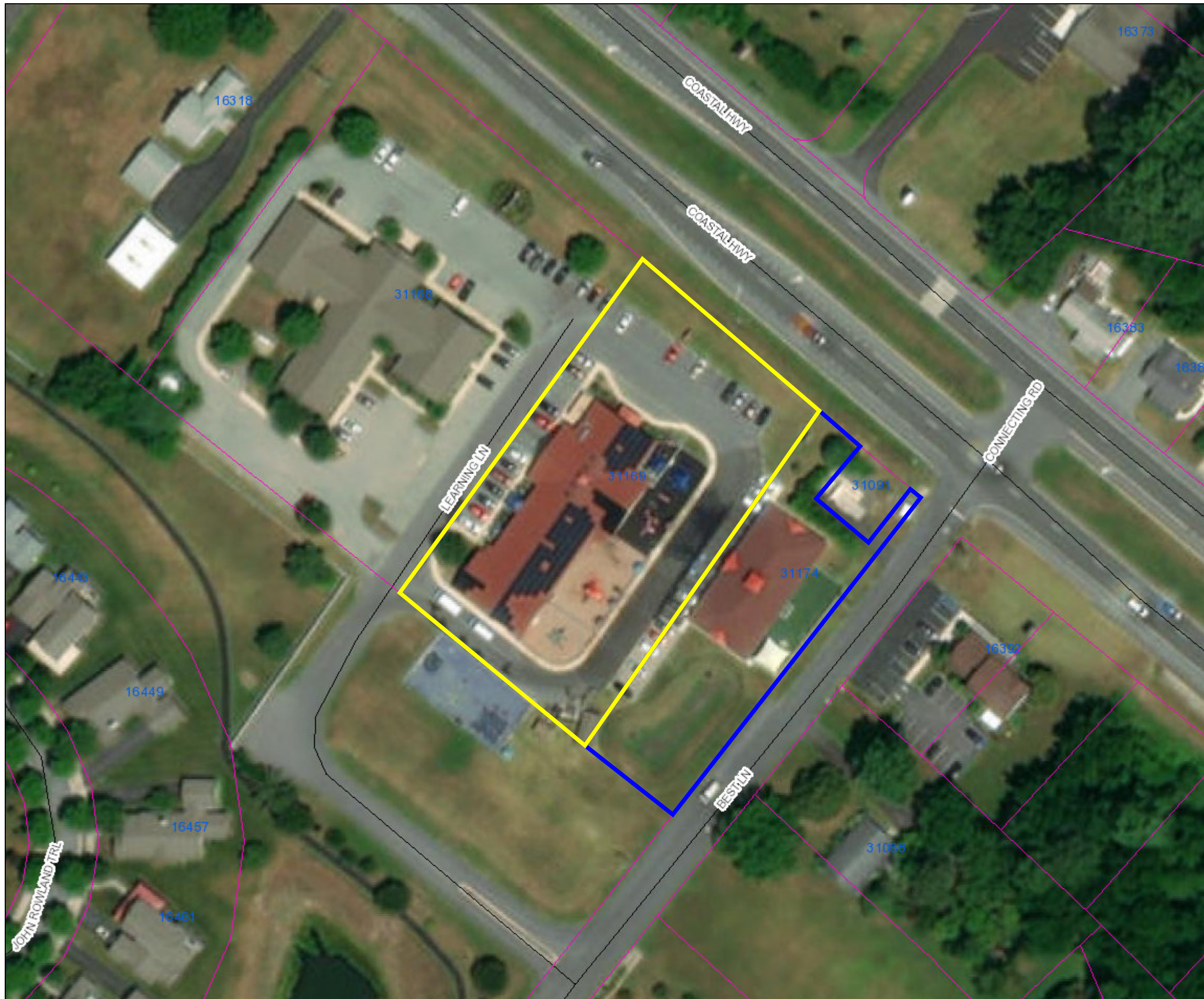
Based on this analysis, a Change of Zone from an Agricultural Residential (AR-1) District and a Medium Density Residential (MR) District to a Medium Commercial (C-2) District could be considered as being consistent with the land use, area zoning and surrounding uses.

Change of Zone Number	Tax Parcel	Applicant	911 Address	Current Zoning	Proposed Zoning	CC Decision	CC Decision Date
1892	235-23.00-1.02	Chappell Farm, LLC	30511 Cave Neck Rd.	AR-1	C-3	Approved	6/22/2021
1891	235-23.00-1.02	Chappell Farm, LLC	30511 Cave Neck Rd.	AR-1	MR	Approved	6/22/2021
1916	235-23.00-54.01	Alice P. Robinson, Trustee	Coastal Hwy	AR-1	C-2	Approved	7/28/2020
1882	334-1.00-15.00	Nassau DE Acquisitions, LLC	Old Mill Rd.	AR-1 & C-2	HR-1-RPC	Withdrawn	9/24/2019
1861	334-1.00-15.00	Nassau DE Acquisitions, LLC	Coastal Hwy. and Old Mill Rd.	AR-1	C-2	Approved	12/11/2018
1860	334-1.00-15.00	Nassau DE Acquisitions, LLC	Old Mill Rd.	AR-1	MR	Denied	12/11/2018
1770	235-23.00-1.00	TD Rehoboth, LLC	NE OF RT 1 ACROSS FROM RE 88	AR-1	CR-1	Denied	4/12/2016

1765	334-1.00-5.00	Red Mill Pointe, LLC	NE OF RT 1 & ACROSS FROM RED MILL POND	AR-1	CR-1	Approved	2/2/2016
1709	235-23.00-25.00	Daniel T. & Dale S. Boines	SW OF RT 1	AR-1	B-1	Approved	1/24/2012

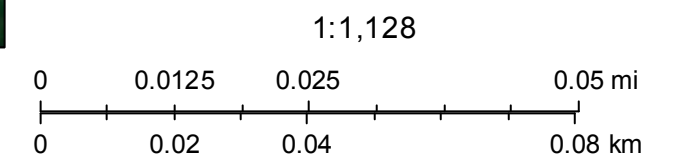


Sussex County



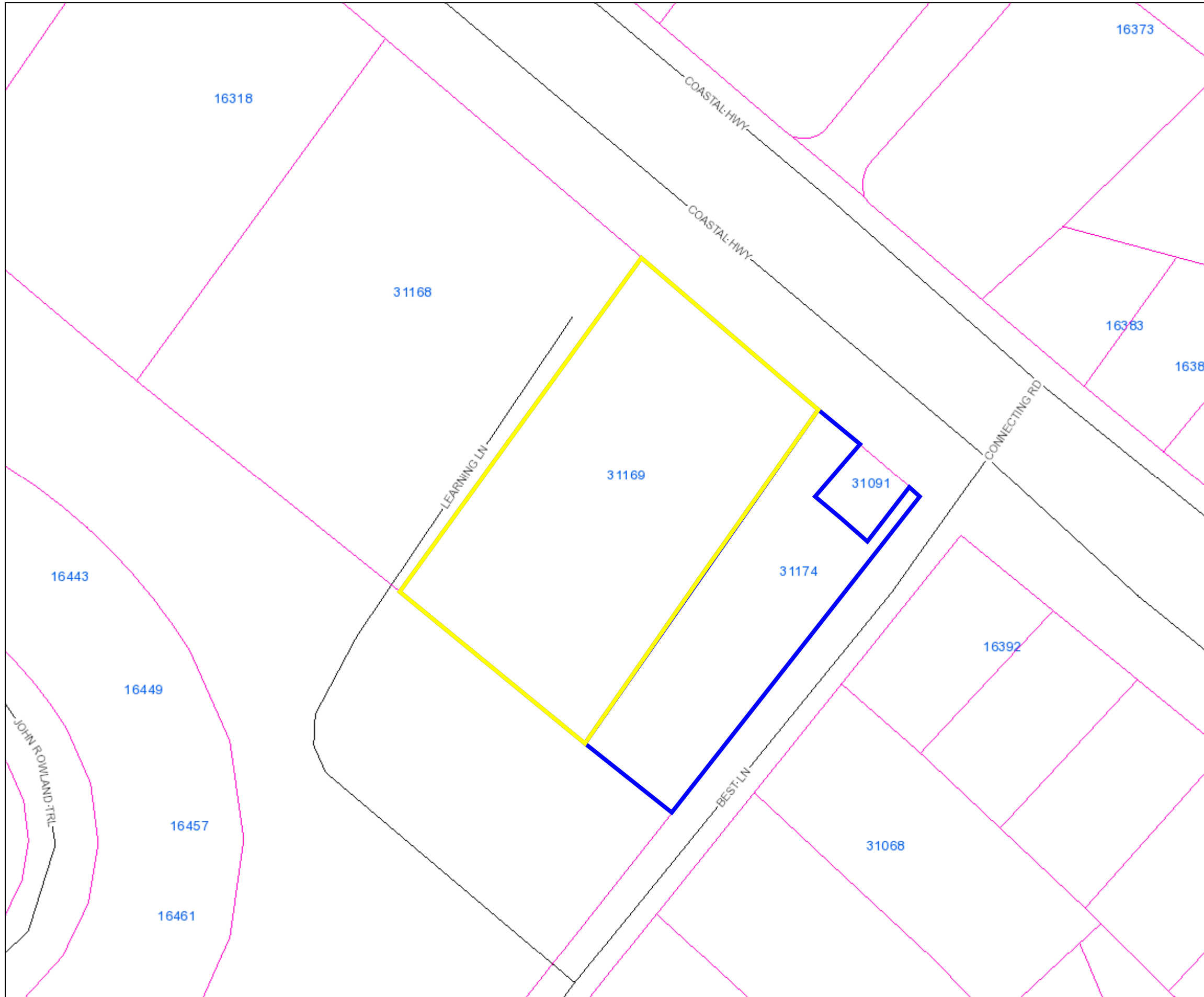
PIN:	235-23.00-53.02	
Owner Name	BEACH	PARTNERS LLC
Book	2578	
Mailing Address	PO BOX 547	
City	REHOBOTH BEACH	
State	DE	
Description	SW/RT 1	
Description 2	PARCEL A	
Description 3		
Land Code		

- polygonLayer**
- Override 1
- polygonLayer**
- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries



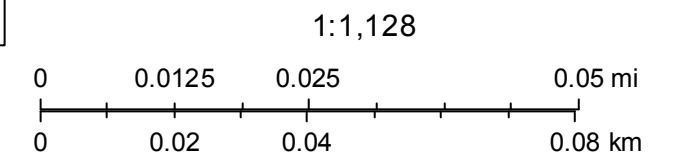


Sussex County

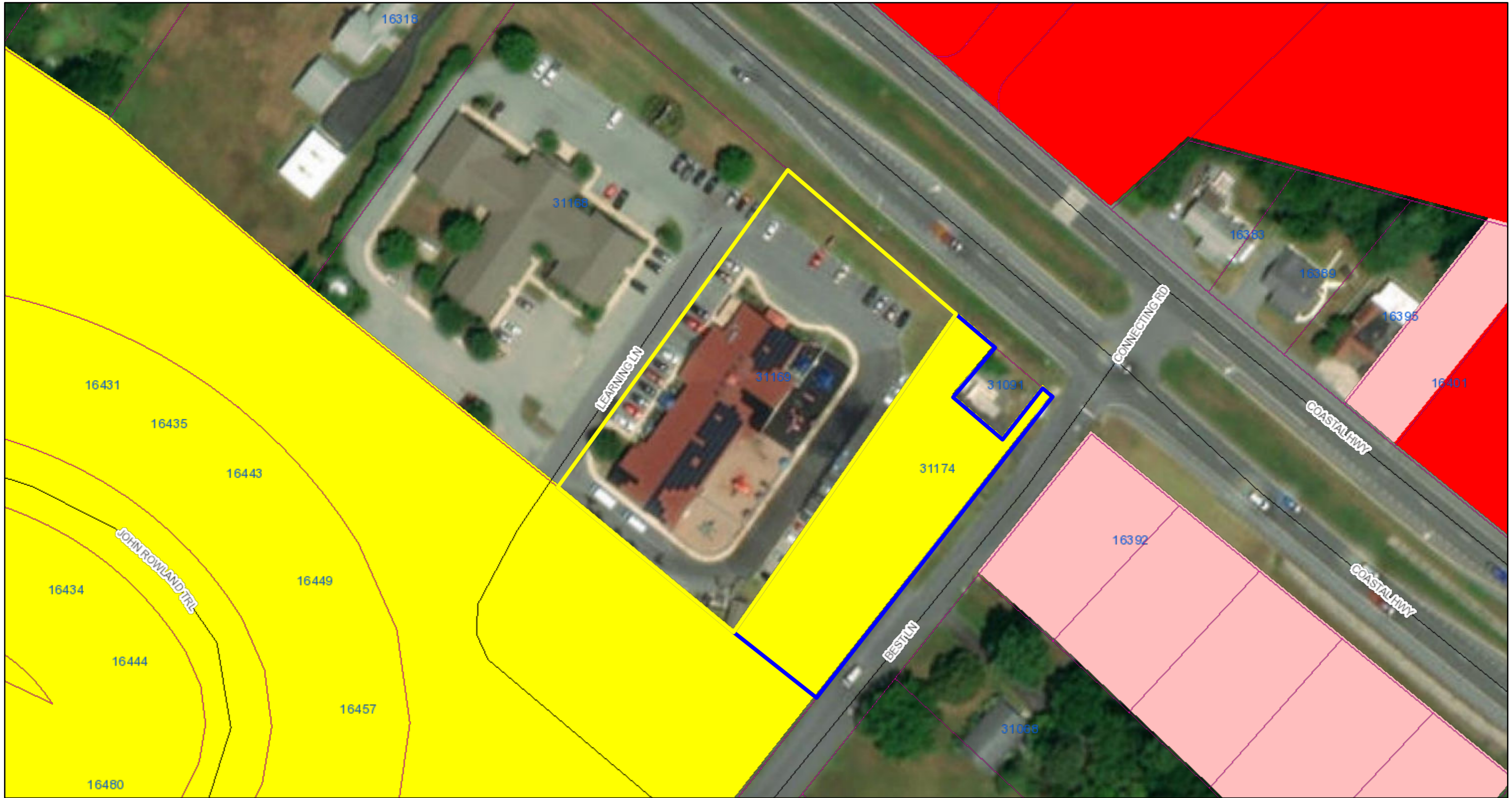


PIN:	235-23.00-53.02	
Owner Name	BEACH	PARTNERS LLC
Book	2578	
Mailing Address	PO BOX 547	
City	REHOBOTH BEACH	
State	DE	
Description	SW/RT 1	
Description 2	PARCEL A	
Description 3		
Land Code		

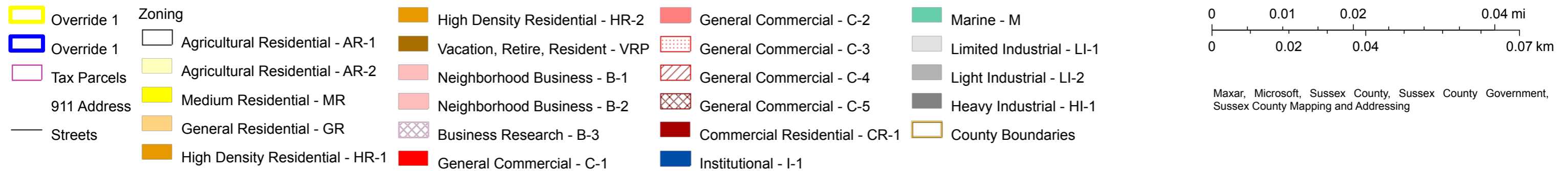
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- Override 1
- Tax Parcels
- 911 Address
- Streets
- County Boundaries



Sussex County



May 8, 2023



Introduced: 12/13/22

Council District 3: Mr. Schaeffer
Tax I.D. No.: 235-23.00-53.02 & 53.04
911 Address: 31169 & 31174 Learning Lane, Lewes

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENIAL DISTRICT AND MR MEDIUM DENSITY RESIDENTIAL DISTRICT TO A C-2 MEDIUM COMMERCIAL DISTRICT FOR CERTAIN PARCELS OF LAND LYING AND BEING IN BROADKILL HUNDRED, SUSSEX COUNTY, CONTAINING 1.76 ACRES, MORE OR LESS

WHEREAS, on the 25th day of August, 2022, a zoning application, denominated Change of Zone No. 1990 was filed on behalf of Beach Partners, LLC; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1990 be _____; and

WHEREAS, on the ____ day of _____ 2023, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County,

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article II, Subsection 115-7, Code of Sussex County, be amended by deleting from the Comprehensive Zoning Map of Sussex County the zoning classification of [AR-1 Agricultural Residential and MR Medium Density Residential] and adding in lieu thereof the designation C-2 Medium Commercial District as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Broadkill Hundred, Sussex County, Delaware, and lying on southeast side of Learning Lane and the northwest side of Best Lane at the intersection of Coastal Highway (Rt. 1) and Best Lane and being more particularly described in the attached legal description prepared by Pennoni Associates, Inc., said parcels containing 1.76 ac., more or less.

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

JAMIE WHITEHOUSE, AICP
DIRECTOR OF PLANNING & ZONING
(302) 855-7878 T
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Sussex County

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Memorandum

To: Sussex County Council
The Honorable Michael H. Vincent
The Honorable Cynthia C. Green
The Honorable Douglas B. Hudson
The Honorable John L. Rieley
The Honorable Mark G. Schaeffer

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

CC: Everett Moore, County Attorney

Date: July 12, 2023

RE: County Council Report for Ordinance 23-10 relating to Amenities within Residential Developments

On March 21, 2023, the County Council introduced an Ordinance relating to the requirements for the implementation of amenities within subdivisions. The Ordinance would, if adopted, require all amenities to be implemented by the time the number of residential units within the development reaches 60 percent completion.

The Planning & Zoning Commission held a Public Hearing on the Ordinance on June 8, 2023. At the meeting of June 8, 2023, the Planning & Zoning Commission recommended the adoption of the Ordinance for the reasons given in the motion.

Below are the minutes from the Planning & Zoning Commission meeting of June 8, 2023.

Minutes of the June 8, 2023, Planning & Zoning Commission Meeting

Ord. 23-10 Amenities Ordinance

AN ORDINANCE TO AMEND CHAPTER 99, ARTICLE III, SECTION 99-21 "PUBLIC SITES AND OPEN SPACES" AND CHAPTER 115, ARTICLE XXV, "SUPPLEMENTAL REGULATIONS" OF THE CODE OF SUSSEX COUNTY REGARDING THE TIMING OF CONSTRUCTION FOR AMENITIES IN RESIDENTIAL DEVELOPMENTS.

Mr. Whitehouse advised the Commission that submitted into the record was a copy of the Ordinance, as it was introduced to County Council at their meeting of March 21, 2023. Mr. Whitehouse stated the Ordinance had been noticed, and no comments were received.



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

Mr. Robertson stated the Ordinance takes the condition placed on all residential plans; that the Ordinance will require all amenities to be completed by 60%, and the Ordinance codifies the requirement so that everyone is aware of what the requirement is.

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

Motion by Ms. Wingate, seconded by Mr. Mears and carried unanimously to recommend approval of ORD 23-10 (Amenities Ordinance) to amend Chapter 99, Article III, Section 99-21 “Public Sites and Open Spaces”, and Chapter 115, Article XXV “Supplemental Regulations” of the Sussex County Code regarding the timing of construction for amenities in residential developments. Motion carried 4-0.

Vote by roll call: Mr. Hopkins – yea, Ms. Wingate – yea, Mr. Mears – yea, Chairman Wheatley - yea

1 **AN ORDINANCE TO AMEND CHAPTER 99, ARTICLE III, SECTION 99-**
2 **21 “PUBLIC SITES AND OPEN SPACES” AND CHAPTER 115, ARTICLE**
3 **XXV, “SUPPLEMENTAL REGULATIONS” OF THE CODE OF SUSSEX**
4 **COUNTY REGARDING THE TIMING OF CONSTRUCTION FOR**
5 **AMENITIES IN RESIDENTIAL DEVELOPMENTS.**

6 WHEREAS, The Code of Sussex County does not currently have any requirements
7 for completion of amenities within a residential development such as clubhouses,
8 swimming pools and other community amenities; and

9 WHEREAS, As a result of this lack of clarity, the completion of these amenities are
10 defined through individual conditions of approval on each subdivision or other
11 residential community without uniformity; and

12 WHEREAS, this Ordinance will create uniformity in the deadlines for completion
13 of Clubhouse and community buildings, recreational facilities (including swimming
14 pools, game courts, play areas, walking paths, bike paths and multimodal paths)and
15 the associated parking areas within new residential developments in Sussex County;
16 and

17 WHEREAS, this amendment protects the health, safety and welfare of Sussex
18 County and its current and future.

19 NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:
20

21 **Section 1. The Code of Sussex County, Chapter 99, Article III, Section 99-21**
22 **“Public sites and open spaces”, is amended by deleting the language in brackets**
23 **and inserting therein the italicized language as a new subsection “E” as follows:**

24
25 **§ 99-21 Public sites and open spaces.**

26 A. Where the proposed subdivision includes lands proposed for use as parks,
27 playgrounds, playfields, public landings or school sites in the Comprehensive Plan,
28 the subdivider shall indicate the location of such lands on the subdivision plat and
29 shall reserve the right of purchase of such lands by the appropriate jurisdiction for
30 the time period specified herein. If the reserved lands are not purchased by the
31 appropriate jurisdiction within the specified time limit, the subdivider shall be free
32 to market such lands for an alternate purpose as specified on the approved
33 subdivision plat.

34 B. Park, playground and playfield areas may be required to be reserved for a
35 period of two years from the date of recording the subdivision, and school sites shall
36 be reserved for four years from such date.

37
38 C. Where deemed essential by the Commission upon consideration of the type
39 of development proposed in the subdivision, the subdivider may be required to
40 dedicate other areas or sites of a character, extent or location suitable to meet the
41 needs of such development. In lieu of dedication, such additional areas may be
42 reserved for the common use of all property owners in the proposed subdivision
43 through deed restrictions or agreements approved by the Commission, which
44 restrictions or agreements may include a right of enforcement by the County
45 Council.

46
47 D. For residential subdivision and other residential land development, the
48 following table shall serve as a guide for determining the minimum percentage of
49 the total site which shall be set aside for park and open space uses:

50

Gross Density (dwelling units per acre)	Minimum Percentage of Open Space
2 to 5	10
6 to 10	15
Over 10	25 or more

51 *E. Community buildings, recreational facilities (including swimming pools,*
52 *game courts, play areas, tot lots, playgrounds, walking paths, bike paths and*
53 *multimodal paths) and the associated parking areas shall be constructed and open*
54 *to use by the residents of a subdivision on or before the issuance of the residential*
55 *building permit representing 60% of the total residential building permits for the*
56 *subdivision.*

57
58 **Section 2. The Code of Sussex County, Chapter 115, Article XXV**
59 **“Supplemental Regulations”, is amended by the italicized language as a new**
60 **§115-194.5 as follows:**

61 **§115-194.5 Completion of Community Amenities.**

62 *Community buildings, recreational facilities (including swimming pools, game*
63 *courts, play areas, tot lots, playgrounds, walking paths, bike paths and multimodal*

64 *paths) and the associated parking areas shall be constructed and open to use by the*
65 *residents of a development on or before the issuance of the residential building*
66 *permit representing 60% of the total residential building permits for the*
67 *development.*

68 **Section 3. Effective Date:**

69 This Ordinance shall take effect immediately upon its adoption by Sussex County
70 Council. Provided, however, that it shall not apply to any residential development
71 that has been approved by ordinance or that has received Preliminary Site Plan
72 approval as of the date of adoption.

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