



Sussex County Council Public/Media Packet

**MEETING:
August 22, 2017**

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**Sussex County Council
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MICHAEL H. VINCENT, PRESIDENT
GEORGE B. COLE, VICE PRESIDENT
ROBERT B. ARLETT
IRWIN G. BURTON III
SAMUEL R. WILSON JR.



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ROBIN GRIFFITH
CLERK

Sussex County Council

AGENDA

AUGUST 22, 2017

10:00 A.M.

Call to Order

Approval of Agenda

Approval of Minutes

Reading of Correspondence

Public Comments

Consent Agenda

- 1. Wastewater Agreement No. 866-10
Sussex County Project No. 81-04
Lewes Crossing – Phase 7
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District**
- 2. Wastewater Agreement No. 516-7
Sussex County Project No. 81-04
Landings at Pepper Creek (AKA The Marina at Pepper's Creek – Phase 3-5)
Dagsboro/Frankford Sanitary Sewer District**
- 3. Wastewater Agreement No. 1017-1, 1017-2 and 1017-3
Sussex County Project No. 81-04
Showfield – Phase 2, Phase 2A – Pump Station and Force Main, and Phase 3
West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District**



Todd Lawson, County Administrator

1. **Recognition of the Georgetown Senior League Softball Team - 2017 Senior League Softball World Champions**
2. **Administrator's Report**

10:15 a.m. Public Hearing

Robin Salisbury Annexation of the Sussex County Unified Sanitary Sewer District (Miller Creek Area)

Janelle Cornwell, Planning and Zoning Director

1. **Discussion regarding poultry house zoning regulations**

Jeff Cox, EMS Deputy Director

1. **Mission LifeLine Presentation**

Hans Medlarz, County Engineer

1. **Asset Management, Phase II**
 - A. **KCI Technologies, Inc. – Contract Amendment No. 2 Eastern Shore Regional GIS Cooperative Continued Authorization**
2. **South Coastal Regional Wastewater Facilities**
 - A. **Approval of Amendment 12 under GHD Base Contract – Preparation of Final Design Construction Documents**
3. **Proposed Resolution establishing the Western Sussex Area of the Sussex County Unified Sanitary Sewer District**

Grant Requests

1. **Rehoboth Summer Children's Theatre for program costs**
2. **Grace-N-Mercy Ministries for summer youth camp costs**
3. **Delaware State College Alumni Association for Delaware State University Marching Band's performance in Rehoboth**
4. **Nanticoke Indian Association for 40th Nanticoke Indian Powwow**
5. **West Rehoboth Community Land Trust for maintenance and renovations**
6. **La Esperanza for the Sisters Fund**

Introduction of Proposed Zoning Ordinances

Council Members' Comments

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

Possible Action on Executive Session Items

1:30 p.m. Public Hearings

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

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A GENERAL RESIDENTIAL DISTRICT FOR MULTI-FAMILY DWELLING STRUCTURES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 4.16 ACRES, MORE OR LESS” (located on the northeast side of Sandy Cove Road, approximately 472 feet north of Cedar Neck Road and on the northwest side of Cedar Neck Road, approximately 764 feet north of Sandy Cove Road (Tax I.D. No. 134-9.00-88.00, 80.06, and 80.01 (portion of)) (911 Address: None Available)

Conditional Use No. 2086 filed on behalf of Kristin Bryan

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BEAUTY SHOP (WITH TWO CHAIRS AND THREE EMPLOYEES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.012 ACRES, MORE OR LESS” (located on the northwest side of Governor Stockley Road, approximately 1,308 feet north of E. Piney Grove Road) (Tax I.D. No. 133-10.00-9.07) (911 Address: 26330 Governor Stockley Road, Georgetown)

Conditional Use No. 2087 filed on behalf of John F. and Brenda L. Fegelein

“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.0218 ACRES, MORE OR LESS” (land located on the northwest side of Roxana Road (Route 17) approximately 715 feet east of Zion Church Road (Tax I.D. No. 533-6.00-18.01) (911 Address: None Available)

Change of Zone No. 1824 filed on behalf of Tomark, LLC

“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 5.38 ACRES, MORE OR LESS” (located on the south side of John J. Williams Highway (Route 24) and on the north side of Jersey Road, approximately 687 feet east of Gravel Hill Road) (Tax I.D. No. 234-32.00-73.00) (911 Address: None Available)

Adjourn

Sussex County Council meetings can be monitored on the internet at www.sussexcountype.gov.

In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on August 15, 2017, at 4:30 p.m., and at least seven (7) days in advance of the meeting.

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

Agenda items listed may be considered out of sequence.

###

SUSSEX COUNTY COUNCIL - GEORGETOWN, DELAWARE, AUGUST 8, 2017

A regularly scheduled meeting of the Sussex County Council was held on Tuesday, August 8, 2017, at 10:00 a.m., in the Council Chambers, Sussex County Administrative Office Building, Georgetown, Delaware, with the following present:

Michael H. Vincent	President
George B. Cole	Vice President
Robert B. Arlett	Councilman
Irwin G. Burton III	Councilman
Samuel R. Wilson Jr.	Councilman
Todd F. Lawson	County Administrator
Gina A. Jennings	Finance Director
J. Everett Moore Jr.	County Attorney

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

**Call to
Order**

Mr. Vincent called the meeting to order.

**M 359 17
Approve
Agenda**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to approve the agenda, as posted.

Motion Adopted: 5 Yeas.

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

Minutes

The minutes of July 25, 2017 were approved by consent.

**Corre-
spondence**

Mr. Moore read the following correspondence:

**WILLIAM M. FLEETWOOD, COMMANDANT, MARINE CORPS
LEAGUE, DEVIL DOGS DETACHMENT 780, SEAFORD, DELAWARE.
RE: Letter in appreciation of grant.**

**Public
Comments**

Public Comments

Dan Kramer commented on an item listed on the Council Agenda several weeks ago relating to a FOIA complaint. Mr. Kramer also commented on an item listed on the Council Agenda on this date relating to an Attorney General Opinion.

Al Gratz and Anthony Scarpa commented on the proposed Artesian project west of Milton that will service Allen Harim's poultry processing facility in Harbeson, pumping wastewater from the site through a pipeline which

**Public
Comments
(continued)**

would then be sprayed on crops in the surrounding area. Mr. Gratz discussed environmental concerns and Allen Harim's record of violations. Mr. Scarpa referenced the previous approvals Artesian received for the project (Ordinance Nos. 1922 and 1923), and commented on the expiration of those permits and Artesian's construction of a lagoon and pipeline without approval.

Paul Reiger commented on issues that he believes need to be addressed in ordinances/zoning code, i.e. definitions.

**M 360 17
Approve
Consent
Agenda**

A Motion was made by Mr. Arlett, seconded by Mr. Burton, to approve the following items listed under the Consent Agenda:

Wastewater Agreement No. 694-1, 694-2, 694-3, 694-4, 694-5
Sussex County Project No. 81-04
Seagrove (AKA Harlton) – Phases 2, 3, 4, 5, 6
Millville Expansion of the Bethany Beach Sanitary Sewer District

Wastewater Agreement No. 694-6
Sussex County Project No. 81-04
Seagrove (AKA Harlton) – Pump Station and Force Main – Phase 1B
Millville Expansion of the Bethany Beach Sanitary Sewer District

Motion Adopted: 4 Yeas, 1 Nay.

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

**Proposed
Ellendale
Water
District**

Mr. Lawson and Mr. Hans Medlarz, County Engineer, reported on the Proposed Ellendale Water District. Mr. Lawson noted that, despite media reports, the district is not yet an established district.

Mr. Lawson and Mr. Medlarz reported that the required number of formal petitions have been submitted to proceed with the process of establishing a potential district boundary. He explained the referendum process, the capital funding package, the proposed contract with Artesian Water Company to supply the water and to perform maintenance, water district costs, project schedule, and the proposed water district boundary.

Mr. Lawson reported that the County will host a community meeting on Wednesday, August 16th, at 6:00 p.m. in the Ellendale Fire Hall.

**Attorney
General
Opinion**

Mr. Lawson referenced Attorney General Opinion No. 17-IB28, Reaffirmation of the October 4, 2016 vote related to the position of Planning and Zoning Director. Mr. Lawson explained that this Opinion, dated July 19, 2017 is in reference to an October 4, 2016 Council meeting at which time Council voted after Executive Session to appoint Janelle Cornwell as Director Appointee for Planning and Zoning and, effective upon the

**Attorney
General
Opinion
(continued)**

retirement of Planning and Zoning Director Lawrence Lank, as Planning and Zoning Director; the vote on this matter was 5 Yeas, 0 Nays. Mr. Lawson reported that, according to the Opinion, the Attorney General believes the County violated the FOIA open meeting requirements and stated that the agenda did not include a general statement of all major issues that the County Council expected to discuss at the October 4, 2016 meeting. Mr. Lawson noted that, in accordance with the County's general practice within the agenda creation process, "Personnel" was listed under Executive Session items. To rectify this issue, the Attorney General's Office has recommended that the Council revisit the County's October 4th vote and explain in a public forum its reasons for selecting Ms. Cornwell as Mr. Lank's successor.

**M 361 17
Reaffirm
Vote/
Director of
Planning
and
Zoning**

A Motion was made by Mr. Arlett, seconded by Mr. Burton, that the Sussex County Council reaffirms the October 4, 2016 Council vote for the selection of Ms. Janelle Cornwell as the Planning and Zoning Director Appointee which was effective immediately and as the Sussex County Planning and Zoning Director effective upon Mr. Lawrence Lank's retirement which was official on January 6, 2017.

Motion Adopted: 5 Yeas.

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

The Council members stated reasons for their affirmative votes.

**Adminis-
trator's
Report**

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

1. Certificate of Achievement for Excellence in Financial Reporting

I am pleased to announce that the Government Finance Officers Association of the United States and Canada has awarded Sussex County its Certificate of Achievement for Excellence in Financial Reporting for the 2016 Comprehensive Annual Financial Report (CAFR). This is the 15th consecutive year that the County has received this prestigious award acknowledging the financial report. The award is among the highest forms of recognition for governmental accounting and financial reporting. Congratulations to Gina Jennings, Finance Director/Chief Operating Officer, Kathy Roth, Deputy Finance Director, and the accounting staff for their efforts in achieving this award.

2. FY 2018 Human Service Grant Program

Applications for the Fiscal Year 2018 Human Service Grant Program are now being accepted. The Human Service Grant Program provides grants to county-wide nonprofit agencies for the purpose of

Administrator's Report (continued)

enhancing health and human services which contribute to a safe, healthy, and self-sufficient community. Funds provide grants that assist organizations with resources in support of programs or capital purchases. To be eligible for a grant, organizations must fill out an application which is available on the County's website at www.sussexcountyde.gov. The deadline for filing grant requests is Friday, September 29th.

3. Delaware State Police Activity Report

The Delaware State Police year-to-date activity report for June 2017 is attached listing the number of violent crime and property crime arrests, as well as total traffic charges and corresponding arrests. In addition, DUI and total vehicle crashes investigated are listed. In total, there were 191 troopers assigned to Sussex County for the month of June.

4. County Council Meeting Schedule

Please note, Council will not meet on Tuesday, August 15th. The next regularly scheduled Council meeting will be held on Tuesday, August 22nd.

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

Federal Payment in Lieu of Taxes

Andrea Wall, Accounting Manager, reported that a check in the amount of \$41,324.00 has been received from the United States Department of the 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 2016. The amount is calculated by the U.S. Fish and Wildlife Service by prorating the total funds available for payment. The check is funded through revenues generated from the Prime Hook National Wildlife 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 362 17 Approve Distribution/ Federal Payment in Lieu of Taxes

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, that the Sussex County Council approves the Accounting Department's recommended distribution of the Refuge Revenue Sharing Fund, as follows: Milford School District - \$8,343.96; Cape School District - \$25,613.00; Sussex Technical School District - \$3,130.92; Sussex County - \$3,791.56; and Sussex County libraries - \$444.56.

Motion Adopted: 5 Yeas.

**M 362 17
(continued)**

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

**Agreement
for Waste-
water and
Biosolids
Services/
City of
Rehoboth**

Hans Medlarz, County Engineer, presented a Proposed Agreement for Wastewater and Biosolids Services with the City of Rehoboth Beach. He reported that this proposal is a result of the Engineering Department's goal to diversify the County's transmission, treatment and biosolids options. In July 2016, Council authorized negotiations with other wastewater service providers for the utilization of existing wastewater capacity, ultimately resulting in Council's approval of wastewater and biosolids service agreements with the Lewes Board of Public Works and a bulk wastewater services agreement with Artesian Wastewater Management, Inc.

Mr. Medlarz reported that, currently, the County is operating under two (2) wastewater agreements with the City of Rehoboth Beach (CRB) which were executed in 1983; the Dewey Beach and Henlopen Acres areas of the Sussex County Unified Sanitary Sewer District have been discharging wastewater to the CRB facility since that time. The proposed agreement completely replaces the 1983 individual agreements.

Mr. Medlarz reviewed the terms of the proposed agreement, including project costs and funding.

Mr. Medlarz noted that the Mayor and Commissioners of Rehoboth Beach approved the Agreement on August 7, 2017.

**M 363 17
Approve
Agreement
for Waste-
water and
Biosolids
Services/
City of
Rehoboth**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, Finance Department and Administration, that the Sussex County Council approves the Agreement for Wastewater and Biosolids Services with the City of Rehoboth Beach, as presented.

Motion Adopted: 5 Yeas.

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

**Airport
Electrical
Equipment
Enclosures
Project/
Change
Order &
Substantial
Completion**

Hans Medlarz, County Engineer, presented a Balancing Change Order (Change Order No. 1) for the Airport Electrical Equipment Enclosures Project (Project No. 17-11). This Change Order reduces the contract amount by \$4,066.00 and adjusts the quantities to their final amounts; thereby lowering the total contract amount to \$252,228.00. Mr. Medlarz also reported that the Engineering Department recommends approval of the Change Order and the granting of Substantial Completion for the project as of July 3, 2017.

**M 364 17
Approve
Change
Order &
Grant
Substantial
Completion/
Airport
Electrical
Equipment
Enclosures
Project**

A Motion was made by Mr. Cole, seconded by Mr. Burton, based upon the recommendation of the Engineering Department, that Change Order No. 1 for Contract #17-11, Airport Electrical Equipment Enclosures, be approved, which decreases the contract amount by \$4,066.00 for a new total of \$252,228.00 and that Substantial Completion be granted effective July 3, 2017 and any held retainage be released in accordance with the contract documents.

Motion Adopted: 4 Yeas, 1 Abstention.

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

**King Farm
Boulevard
Phase I
Project**

Hans Medlarz, County Engineer, presented Change Order Nos. 2 and 3 for the King Farm Industrial Park Boulevard, Phase I. Change Order No. 2 is in the amount of \$3,881.00 and Change Order No. 3 is in the amount of \$8,867.00; these Change Orders increase the contract by \$12,748.00.

**M 365 17
Approve
Change
Order/
King Farm
Boulevard
Phase I
Project**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, based upon the recommendation of the Engineering Department, that Change Order Nos. 2 and 3 for Contract #17-15, King Farm Industrial Park Boulevard, Phase I, be approved, which increases the contract amount by \$3,881.00 and \$8,867.00 respectively for a new total of \$337,748.00.

Motion Adopted: 5 Yeas.

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

**Summer-
crest
Subdivision/
Release
and
Indemnity
Agreement**

Joe Wright, Assistant County Engineer, presented a request to execute a Release and Indemnity Agreement with the Summercrest Subdivision. In 2012, the Council approved pulling the Letter of Credit for completion of work in the subdivision. Subsequently, a contract was awarded to Jerry's Paving to complete curbing, sidewalk and paving. The initial bond of \$312,500 was used for this purpose along with related costs including engineering, legal and advertising expenses resulting in a balance of \$26,072.41. Mr. Wright reported that David Rutt, Assistant County Attorney, provided the Engineering Department with an opinion that remaining funds be returned to the Summercrest HOA; this opinion is specific to this subdivision based on terms and conditions of a prior Agreement between Sussex County and Summercrest HOA, whereby amenities were also referenced for completion. The HOA has incurred expenses completing and/or maintaining amenities to which they will apply the remaining bond proceeds.

**M 366 17
Approve
Release and
Indemnity
Agreement/
Summer-
crest
Subdivision**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, that the Sussex County Council approves the “Release and Indemnity Agreement” between Sussex County and Summercrest Homeowners Association for the release of the remaining security in the amount of \$26,072.11.

Motion Adopted: 5 Yeas.

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

**Western
Sussex
Sewer
Solution/
Matching
Planning
Grant**

John Ashman, Director of Utility Planning, presented a Proposed Resolution for a Wastewater Matching Planning Grant for the Western Sussex Area; a Resolution is required in order for the Engineering Department to apply for the grant from the Delaware Water Infrastructure Advisory Council. Mr. Ashman advised that the Department has been working with the communities of Greenwood, Bridgeville, and Seaford on the possibility of establishing a Western Sussex Sewer District; a study will determine the most cost effective and economical manner in which Sussex County can establish a collection and transmission system, and connect and transmit the effluent from Greenwood and Bridgeville to Seaford for treatment and disposal. Grant funding is based on a 50 percent match with a maximum grant of \$50,000.00.

**M 367 17
Adopt
R 018 17**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt Resolution No. R 018 17 entitled “TO SUBMIT A REQUEST FOR A WASTEWATER MATCHING PLANNING GRANT TO THE WATER INFRASTRUCTURE ADVISORY COUNCIL FOR MATCHING FUNDS TO FINANCE A PLANNING STUDY FOR THE WESTERN SUSSEX SEWER SOLUTION”.

Motion Adopted: 5 Yeas.

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

**Slaughter
Beach
Planning
Study/
Wastewater
Matching
Planning
Grant**

John Ashman, Director of Utility Planning, presented a Proposed Resolution for a Wastewater Matching Planning Grant for the Slaughter Beach Area; a Resolution is required in order for the Engineering Department to apply for the grant from the Delaware Water Infrastructure Advisory Council. Mr. Ashman advised that the Engineering Department has received a Resolution from the Town of Slaughter Beach for the County to look into the viability of establishing a Slaughter Beach Water and Sewer District run by the County. Mr. Ashman noted that, at this time, the Department proposes to look at the sewer district first; a study will confirm the size of the drainage basin, and what new projects and what new and existing homes can be served, while also providing a plan on how the

**Slaughter Beach
(continued)**

parcels will be served along with estimated costs for the infrastructure to provide that service. Grant funding is based on a 50 percent match with a maximum grant of \$50,000.00.

**M 368 17
Adopt
R 019 17**

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt Resolution No. R 019 17 entitled “TO SUBMIT A REQUEST FOR A WASTEWATER MATCHING PLANNING GRANT TO THE WATER INFRASTRUCTURE ADVISORY COUNCIL FOR MATCHING FUNDS TO FINANCE A PLANNING STUDY FOR PROVIDING CENTRAL SEWER TO SLAUGHTER BEACH”.

Motion Adopted: 5 Yeas.

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

**Mount Joy
Oak Street
Proposed
SLD**

Patti Deptula, Director of Special Projects, reviewed a proposed district boundary for the Mount Joy Oak Street Proposed Sussex County Chapter 95 Streetlighting District. Mrs. Deptula presented the proposed Streetlighting District boundaries. The proposed boundaries encompasses Parcel Nos. 67 through 71; there are 21 tax parcels within the district boundary and 17 assessable improvements. The written request for petitions to form a streetlighting district came from the Mount Joy Civic Association and community members. Mrs. Deptula reviewed the estimated annual costs.

**M 369 17
Approve
Estimated
Billing
Rate/
Mount Joy
Oak Street
Proposed
SLD**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, that the Sussex County Council, based upon the recommendation of the Engineering Department, approves an estimated annual billing rate of \$65.20 for the first year, and an estimated annual billing rate of \$62.26 after the first year, for each assessable residential or commercial improvement within the boundaries of the Proposed Sussex County Chapter 95 Mount Joy Oak Street Streetlighting District; as required by Chapter 95 of the Sussex County Code, if the Streetlighting District is formed, the annual billing rate will be adjusted each billing year, based upon all streetlighting costs and the actual number of assessable units within the district boundaries.

Motion Adopted: 5 Yeas.

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

**M 370 17
Adopt
R 020 17**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to Adopt Resolution No. R 020 17 entitled “A RESOLUTION TO ESTABLISH THE DATE, TIME, AND PLACE OF AN ELECTION TO BE HELD TO CONSIDER THE QUESTION OF ESTABLISHING THE PROPOSED MOUNT JOY OAK STREET STREETLIGHTING DISTRICT”.

**M 370 17
(continued)**

Motion Adopted: 5 Yeas.

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

**Old
Business/
CU 2071**

Under Old Business, the Council considered the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR COMPOSTING, INCLUDING POULTRY BY-PRODUCTS; GREENHOUSES; MIXING, BLENDING AND BAGGING COMPOST AND POTTING SOIL PRODUCTS; TRUCKING PRODUCTS; ALL WHOLESALE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 31.9478 ACRES, MORE OR LESS” (Conditional Use No. 2071) filed on behalf of Blessing Greenhouses and Compost (Tax I.D. No. 334-6.00-496.00-497.00) (911 Address: 18200 Coastal Highway).

The Planning and Zoning Commission held a Public Hearing on this application on March 23, 2017 at which time the Commission deferred action for additional information from DNREC and the Sussex Conservation District. On April 6, 2017, the Commission acknowledged the receipt of a response from DNREC and the Sussex Conservation District; action was deferred again. On April 20, 2017, the Commission deferred action again. On May 11, 2017, the Commission recommended approval with the following conditions:

- A. The Applicant shall comply with all requirements established by DNREC and any other regulatory agency having jurisdiction over this use. Failure to comply with DNREC or other agency requirements shall result in the termination of this Conditional Use.**
- B. No new, uncomposted materials (other than what is necessary to complete the composting process for materials existing on the site) shall be accepted at the site until the areas of the concrete pre-composting pad are cleared of the materials that currently exist there as required in the fourth and fifth bullet items of DNREC’s March 31, 2017 letter to Jennifer Walls, Sussex County Planning and Zoning Manager. The removal of these materials must be underway immediately upon the adoption of the ordinance approving this Conditional Use by County Council, with inspections by Sussex County and DNREC occurring every 3 months to review and report on the status of this work. The quarterly inspections shall include consideration of whether the Applicant is actively cleaning up the site and improved odors coming from it as stated by the Applicant during the public hearing on this application and whether the overall effects of this use upon the neighboring area (including smells) are generally improving. If the Commission finds that any of these requirements are not being satisfied, it may terminate this Conditional Use for non-compliance or require further review of it, including a public hearing.**

Old
Business/
CU 2071
(continued)

- C. Once the current materials are removed, pre-compost storage shall only occur on the existing concrete slab, subject to DNREC's inspections of that slab as existing compost material is removed from it.
- D. The Applicant shall comply with all Sussex Conservation District requirements for the site. Failure to comply with any of these requirements shall result in the termination of the use.
- E. Material processing hours, including the use of heavy equipment, will be limited to 7:00 a.m. - 7:00 p.m., Monday through Saturday.
- F. Material acceptance hours will be limited to 7:00 a.m. - 4:00 p.m., Monday through Saturday.
- G. As proposed by the Applicant, there shall be a landscaped buffer of at least 25 feet around the entire property, to be increased if required by other agencies. This buffer shall include a vegetated berm of at least 8 feet in height. A landscape plan showing the landscaping within the proposed buffer shall be shown on the Final Site Plan.
- H. All new composting shall only occur within new covered concrete-floored composting buildings designed to hold at least 4,000 cubic yards of compost at a time.
- I. A water truck shall be available to control dust within the site.
- J. Once the pre-compost pad is cleared of materials as required by Conditions B and C, this Conditional Use shall be inspected at least annually by DNREC and a County Inspector, with a report from both provided to the Commission. These inspections shall include consideration of whether the Applicant has actively cleaned up the site and improved the odors coming from it as stated by the Applicant during the public hearing on this application; whether the Applicant is in compliance with the conditions of this approval (including all DNREC and Sussex Conservation District (SCD) requirements); and whether the overall effects of this use upon the neighboring area (including smells) are generally improving. If the Commission finds that any of these requirements are not being satisfied, it may terminate this Conditional Use for noncompliance or require further review of it, including a public hearing.
- K. No sanitary waste shall be accepted at the site.
- L. The Applicant may bag and blend materials properly accepted and composted at the site pursuant to this approval.
- M. County Council should consider whether a bond or other performance guarantee is necessary and appropriate to guarantee the cleanup of the site and the performance of these conditions of approval.
- N. The Final Site Plan including all buildings, buffers, a landscaping plan (with types, heights and/or diameter of plantings shown), and stormwater management facilities shall be subject to the review and approval of the Planning and Zoning Commission.

(See the minutes of the Planning and Zoning Commission dated March 23, April 6, April 20, and May 11, 2017.)

**Old
Business/
CU 2071
(continued)**

Janelle Cornwell, Director of Planning and Zoning, reported that the County Council held a Public Hearing on this application on April 25, 2017 at which time the record remained open for 15 days for additional public comment, in writing only, until the close of business on May 10th; thereafter, the record remained open for an additional 15 days for written comment only from either side on information submitted during the first 15-day period, until the close of business on May 25; thereafter, the record remained open for an additional 15 days for Council to ask questions of staff or agencies, until the close of business on June 9th. Ms. Cornwell reported that information received was included in Council packets, outlining questions asked by Council and responses received from the different organizations and agencies.

**M 371 17
Adopt
Proposed
Ordinance/
CU 2071**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR COMPOSTING, INCLUDING POULTRY BY-PRODUCTS; GREENHOUSES; MIXING, BLENDING AND BAGGING COMPOST AND POTTING SOIL PRODUCTS; TRUCKING PRODUCTS; ALL WHOLESALE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 31.9478 ACRES, MORE OR LESS" (Conditional Use No. 2071) filed on behalf of Blessing Greenhouses and Compost.

Mr. Burton stated that he would like to make amendments to the conditions of approval as recommended by the Planning and Zoning Commission.

**M 372 17
Amend
Conditions/
CU 2071**

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to delete Condition J as proposed by the Planning and Zoning Commission and insert a new Condition J in its place as follows:

Once the pre-compost pad is cleared of materials as required by Conditions B and C, this Conditional Use shall be inspected at least annually by DNREC and a County Inspector, with a report from both provided to the Commission. These inspections shall include consideration of whether the Applicant has actively cleaned up the site and improved the odors coming from it as stated by the Applicant during the public hearing on this application; whether the Applicant is in compliance with the conditions of this approval (including all DNREC and Sussex Conservation District (SCD) requirements); and whether the overall effects of this use upon the neighboring area (including smells) are generally improving. Once the pre-compost pad is cleared of said materials, Applicant shall be prohibited from using the pad for composting purposes. Applicant shall only be permitted to use the pad for purposes incidental to its composting business, such as parking, firewood storage and other minor non-composting uses. If the Commission finds that any of these requirements are not being satisfied, it may terminate this Conditional Use for noncompliance or

M 372 17 require further review of it, including a public hearing.

Amend

Conditions/ Motion Adopted: 5 Yeas.

CU 2071

**(continued) Vote by Roll Call: Mr. Arlett, Yea; Mr. Burton, Yea;
Mr. Wilson, Yea; Mr. Cole, Yea;
Mr. Vincent, Yea**

M 373 17 A Motion was made by Mr. Burton, seconded by Mr. Arlett, to delete
Amend Condition M as proposed by the Planning and Zoning Commission and
Conditions/ insert a new Condition M in its place, as follows:
CU 2071

(continued) If this property has not been remediated in accordance with DNREC requirements at least four (4) months from the date of this approval, Applicant shall be required to: 1) obtain a performance bond for the benefit of the County in the amount of One Million Dollars (\$1,000,000.00) to remediate this property in accordance with DNREC requirements within one (1) year of the date of this Conditional Use approval; and 2) execute any and all documents necessary to allow the County to utilize the funds under the performance bond and any and all agreements, permits, and documents necessary to complete the remediation of the property in accordance with the DNREC requirements, including but not limited to an agreement that allows the County to access the property and perform this work. The performance bond and all necessary contracts and documents shall be in place no later than four (4) months and one (1) day from the date of this approval and shall be signed by Applicant and all landowners.

Motion Adopted: 5 Yeas.

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

M 374 17 A Motion was made by Mr. Burton, seconded by Mr. Arlett, to move
Amend Condition N as proposed by the Planning and Zoning Commission to the
Conditions/ end of the Conditions and re-label it Condition O.
CU 2071

Motion Adopted: 5 Yeas.

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

M 375 17 A Motion was made by Mr. Burton, seconded by Mr. Cole, to insert a new
Amend Condition N as follows:

Conditions/

CU 2071

If Applicant applies any compost to agricultural land, that application shall fully comply with all DNREC regulations including but not limited to disking, or other incorporation of, the compost into the soil to prevent odors

M 375 17 **from emanating from the application site.**

Amend

**Conditions/
CU 2071**

(continued)

Motion Adopted: 5 Yeas.

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

M 376 17

Amend

**Conditions/
CU 2071**

A Motion was made by Mr. Burton, seconded by Mr. Cole, to insert a new Condition P, as follows:

Failure to comply with any condition contained herein shall invalidate the Conditional Use.

Motion Adopted: 5 Yeas.

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

It was requested that Council receive compliance reports/updates in addition to the Planning and Zoning Commission.

M 377 17

Adopt

**Ordinance
No. 2514/
CU 2071**

A Motion was made by Mr. Cole, seconded by Mr. Wilson, to Adopt Ordinance No. 2514 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR COMPOSTING, INCLUDING POULTRY BY-PRODUCTS; GREENHOUSES; MIXING, BLENDING AND BAGGING COMPOST AND POTTING SOIL PRODUCTS; TRUCKING PRODUCTS; ALL WHOLESALE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 31.9478 ACRES, MORE OR LESS” (Conditional Use No. 2071) filed on behalf of Blessing Greenhouses and Compost, with the following conditions, as amended:

- A. The Applicant shall comply with all requirements established by DNREC and any other regulatory agency having jurisdiction over this use. Failure to comply with DNREC or other agency requirements shall result in the termination of this Conditional Use.**
- B. No new, uncomposted materials (other than what is necessary to complete the composting process for materials existing on the site) shall be accepted at the site until the areas of the concrete pre-composting pad are cleared of the materials that currently exist there as required in the fourth and fifth bullet items of DNREC’s March 31, 2017 letter to Jennifer Walls, Sussex County Planning and Zoning Manager. The removal of these materials must be underway immediately upon the adoption of the ordinance approving this Conditional Use by County Council, with inspections by Sussex County and DNREC occurring every 3 months to review and report on the status of this work. The**

**M 377 17
Adopt
Ordinance
No. 2514/
CU 2071
(continued)**

quarterly inspections shall include consideration of whether the Applicant is actively cleaning up the site and improved odors coming from it as stated by the Applicant during the public hearing on this application and whether the overall effects of this use upon the neighboring area (including smells) are generally improving. If the Commission finds that any of these requirements are not being satisfied, it may terminate this Conditional Use for non-compliance or require further review of it, including a public hearing.

- C. Once the current materials are removed, pre-compost storage shall only occur on the existing concrete slab, subject to DNREC's inspections of that slab as existing compost material is removed from it.
- D. The Applicant shall comply with all Sussex Conservation District requirements for the site. Failure to comply with any of these requirements shall result in the termination of the use.
- E. Material processing hours, including the use of heavy equipment, will be limited to 7:00 a.m. - 7:00 p.m., Monday through Saturday.
- F. Material acceptance hours will be limited to 7:00 a.m. - 4:00 p.m., Monday through Saturday.
- G. As proposed by the Applicant, there shall be a landscaped buffer of at least 25 feet around the entire property, to be increased if required by other agencies. This buffer shall include a vegetated berm of at least 8 feet in height. A landscape plan showing the landscaping within the proposed buffer shall be shown on the Final Site Plan.
- H. All new composting shall only occur within new covered concrete-floored composting buildings designed to hold at least 4,000 cubic yards of compost at a time.
- I. A water truck shall be available to control dust within the site.
- J. Once the pre-compost pad is cleared of materials as required by Conditions B and C, this Conditional Use shall be inspected at least annually by DNREC and a County Inspector, with a report from both provided to the Commission. These inspections shall include consideration of whether the Applicant has actively cleaned up the site and improved the odors coming from it as stated by the Applicant during the public hearing on this application; whether the Applicant is in compliance with the conditions of this approval (including all DNREC and Sussex Conservation District (SCD) requirements); and whether the overall effects of this use upon the neighboring area (including smells) are generally improving. Once the pre-compost pad is cleared of said materials, Applicant shall be prohibited from using the pad for composting purposes. Applicant shall only be permitted to use the pad for purposes incidental to its composting business, such as parking, firewood storage and other minor non-composting uses. If the Commission finds that any of these requirements are not being satisfied, it may terminate this Conditional Use for noncompliance or require further review of it, including a public hearing.
- K. No sanitary waste shall be accepted at the site.
- L. The Applicant may bag and blend materials properly accepted and composted at the site pursuant to this approval.

**M 377 17
Adopt
Ordinance
No. 2514/
CU 2071
(continued)**

- M. If this property has not been remediated in accordance with DNREC requirements at least four (4) months from the date of this approval, Applicant shall be required to: 1) obtain a performance bond for the benefit of the County in the amount of One Million Dollars (\$1,000,000.00) to remediate this property in accordance with DNREC requirements within one (1) year of the date of this Conditional Use approval; and 2) execute any and all documents necessary to allow the County to utilize the funds under the performance bond and any and all agreements, permits, and documents necessary to complete the remediation of the property in accordance with the DNREC requirements, including but not limited to an agreement that allows the County to access the property and perform this work. The performance bond and all necessary contracts and documents shall be in place no later than four (4) months and one (1) day from the date of this approval and shall be signed by Applicant and all landowners.**
- N. If Applicant applies any compost to agricultural land, that application shall fully comply with all DNREC regulations including but not limited to disking, or other incorporation of, the compost into the soil to prevent odors from emanating from the application site.**
- O. The Final Site Plan including all buildings, buffers, a landscaping plan (with types, heights and/or diameter of plantings shown) and stormwater management facilities shall be subject to the review and approval of the Planning and Zoning Commission.**
- P. Failure to comply with any condition contained herein shall invalidate this Conditional Use.**

Motion Adopted: 5 Yeas.

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

**Old
Business/
CU 2074**

Under Old Business, the Council discussed the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL USE AS A THERAPY AND FITNESS CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 6.113 ACRES, MORE OR LESS" (Conditional Use No. 2074) filed on behalf of Quail Valley 1525, LLC (Tax I.D. No. 335-12.06-1.00) (911 Address: 1523 Savannah Road, Lewes).

The Planning and Zoning Commission held a Public Hearing on this application on April 6, 2017 at which time action was deferred; on May 11, 2017, the Commission recommended that the application be approved with the following conditions:

- a. The project shall be served by a central sewer system in accordance with the Sussex County Engineering Department specifications and in**

**Old
Business/
CU 2074
(continued)**

- conformity with all DNREC regulations as part of the Sussex County West Rehoboth Expansion of the Dewey Beach Sanitary Sewer System.
- b. The project shall be served by a publicly regulated central water system providing drinking water and fire protection as required by applicable regulations through Tidewater Utilities, Inc.**
 - c. Stormwater management and erosion and sediment control shall be constructed in accordance with applicable State and County requirements including the requirements of the Sussex Conservation District and the Inland Bays Pollution Control Strategy. The Applicant, its successors and assigns, shall operate the stormwater management facilities using Best Management Practices and Best Available Technologies.**
 - d. All entrances, intersections, roadway improvements, and multi-modal facilities required by DelDOT shall be completed by the Applicant as required by DelDOT.**
 - e. A landscape buffer of Leyland Cypress or similar vegetation shall be maintained or planted along the boundaries of the project adjacent to any residential properties so that the facility will be screened from view from any residential properties. The landscape buffer must be located on the project site. Final Site Plan shall contain a landscape plan showing the planned vegetation within this buffer area.**
 - f. An 8 foot tall fence shall be constructed along the boundaries of the project adjacent to any residential properties.**
 - g. The proposed therapy and fitness center shall be set back at least 40 feet from all property lines.**
 - h. The number of parking spaces required for this proposed project is clearly excessive and unreasonable. Accordingly, the number of parking spaces required shall be modified and reduced. The proposed project shall have 200 parking spaces. All vehicle parking areas shall be clearly shown on the Final Site Plan and clearly marked on the site itself.**
 - i. Any security lighting shall be low-level lighting on a timer and downward screened so that it does not shine onto neighboring properties or roadways.**
 - j. Hours of operation shall be between 5:00 a.m. and 9:00 p.m., Monday through Friday and between 5:00 a.m. and 5:00 p.m. Saturday and Sunday.**
 - k. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

(See the minutes of the Planning and Zoning Commission dated April 6 and May 11, 2017.)

The Council held a Public Hearing on this application on May 23, 2017 at which time the public record was left open and thereafter closed on June 20, 2017. On July 25, 2017, Ms. Cornwell reported that the public comments received were submitted to the members of the Council. Additionally, Council asked staff to provide information on the square footage of

**Old
Business/
CU 2074
(continued)**

buildings in and around the area and staff also provided that information in the Council packet for the July 25, 2017 meeting.

Mr. Moore reported on: (1) a letter received from Glenn Mandalas, Esq., the Applicant's Attorney, dated August 1, 2017 and (2) the three plans submitted by the Applicant.

**M 378 17
Adopt
Proposed
Ordinance

DENIED**

A Motion was made by Mr. Arlett, seconded by Mr. Cole, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A COMMERCIAL USE AS A THERAPY AND FITNESS CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 6.113 ACRES, MORE OR LESS" (Conditional Use No. 2074) filed on behalf of Quail Valley 1525, LLC.

Mr. Burton stated a list of reasons (1 through 11) for denying the application.

Motion Denied: 4 Nays, 1 Yea.

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

**Old
Business/
CU 2083**

Under Old Business, the Council considered the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE, STORAGE BUILDING, STORAGE YARD AND CRUSHING OF CONCRETE FOR A CONTRACTING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 5.97 ACRES, MORE OR LESS" (Conditional Use No. 2083) filed on behalf of Richard H. Bell III (Tax I.D. No. 135-15.00-79.03) (911 Address: 22592 Lewes-Georgetown Highway, Georgetown).

The Planning and Zoning Commission held a Public Hearing on this application on June 22, 2017. On July 13, 2017, the Commission recommended approval with the following conditions:

- a. The recycling and crushing use shall be limited to concrete and the steel that is encased. No other wood or metal chipping or grinding shall occur and no other materials shall be accepted at the site for crushing or recycling.**
- b. Crushing operations shall only occur between the hours of 9:00 a.m. through 4:00 p.m. Monday through Friday. In addition, the operator shall cooperate with Sports at the Beach so that crushing operations do not unreasonably interfere with events occurring there.**

Old
Business/
CU 2083
(continued)

- c. Materials may be accepted for the crushing and recycling operation between 7:00 a.m. and 5:00 p.m. Monday through Friday.
- d. Landscaping shall be installed to screen the use from adjacent residential dwellings. The landscaping shall be shown on the Final Site Plan.
- e. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.
- f. Water shall be available at all times to control dust within the site.
- g. One lighted sign shall be permitted. It shall not be greater than 32 square foot per side.
- h. The Applicant shall comply with all roadway and entrance improvements required by DelDOT.
- i. The Applicant shall not advertise or display products within the front yard area except in the form of landscaping beds and planters.
- j. There shall be no parking within the front yard setback.
- k. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

(See the minutes of the Planning and Zoning Commission dated June 22 and July 13, 2017.)

The County Council held a Public Hearing on July 25, 2017 at which time action was deferred.

M 379 17
Adopt
Proposed
Ordinance/
CU 2083

A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE, STORAGE BUILDING, STORAGE YARD AND CRUSHING OF CONCRETE FOR A CONTRACTING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 5.97 ACRES, MORE OR LESS" (Conditional Use No. 2083) filed on behalf of Richard H. Bell III.

Mr. Burton stated that he would like to make amendments to the conditions of approval as recommended by the Planning and Zoning Commission.

M 380 17
Amend
Conditions/
CU 2083

A Motion was made by Mr. Burton, seconded by Mr. Cole, to delete Condition A as proposed by the Planning and Zoning Commission and insert a new Condition A in its place as follows:

All uncrushed/pre-crushed concrete currently located on the site shall be removed and the site cleaned up of all existing uncrushed/pre-crushed concrete within 45 days. No other concrete shall be accepted on the site for crushing. Concrete currently existing on the site may be crushed on-site during this 45-day period. Upon the expiration of the 45-day period, all further crushing shall cease. No other wood or metal chipping or grinding shall occur and no other materials, including concrete, wood and metal, shall be accepted at the site for crushing or recycling.

**M 380 17
(continued)**

Motion Adopted: 4 Yeas, 1 Nay.

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

**M 381 17
Amend
Conditions/
CU 2083**

A Motion was made by Mr. Burton, seconded by Mr. Arlett, to delete Condition B as proposed by the Planning and Zoning Commission and to insert a new Condition B in its place as follows:

During the initial 45-day period only, crushing operations shall only occur between the hours of 9:00 a.m. through 4:00 p.m. Monday through Friday. Crushing operations shall be prohibited after the expiration of the initial 45-day period. In addition, the operator shall cooperate with Sports at the Beach so that crushing operations do not unreasonably interfere with events occurring there.

Motion Adopted: 5 Yeas.

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

**M 382 17
Amend
Conditions/
CU 2083**

A Motion was made by Mr. Burton, seconded by Mr. Cole, to delete Condition C as proposed by the Planning and Zoning Commission and insert a new Condition C in its place as follows:

Applicant shall be permitted to store crushed concrete in a 40' x 100' area which shall be shown on the Final Site Plan; overall height not to exceed 30 feet.

Motion Adopted: 5 Yeas.

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

**M 383 17
Amend
Conditions/
CU 2083**

A Motion was made by Mr. Burton, seconded by Mr. Cole, to delete Condition D as proposed by the Planning and Zoning Commission and to insert a new Condition D in its place as follows:

Landscaping or solid fencing shall be installed such that all concrete, stone and/or pool or other equipment storage shall be completely screened from adjacent residential dwellings and public view. The landscaping or solid fencing shall be shown on the Final Site Plan.

Motion Adopted: 5 Yeas.

**M 387 17
(continued)**

Motion Adopted: 5 Yeas.

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

**M 388 17
Adopt
Ordinance
No. 2515/
CU 2083**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to Adopt Ordinance No. 2515 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN OFFICE, STORAGE BUILDING, STORAGE YARD AND CRUSHING OF CONCRETE FOR A CONTRACTING BUSINESS TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 5.97 ACRES, MORE OR LESS" (Conditional Use No. 2083) filed on behalf of Richard H. Bell III, with the following conditions, as amended:

- A. All uncrushed/pre-crushed concrete currently located on the site shall be removed and the site cleaned up of all existing uncrushed/pre-crushed concrete within 45 days. No other concrete shall be accepted on the site for crushing. Concrete currently existing on the site may be crushed on-site during this 45-day period. Upon the expiration of the 45-day period, all further crushing shall cease. No other wood or metal chipping or grinding shall occur and no other materials, including concrete, wood and metal, shall be accepted at the site for crushing or recycling.**
- B. During the initial 45-day period only, crushing operations shall only occur between the hours of 9:00 a.m. through 4:00 p.m. Monday through Friday. Crushing operations shall be prohibited after the expiration of the initial 45-day period. In addition, the operator shall cooperate with Sports at the Beach so that crushing operations do not unreasonably interfere with events occurring there.**
- C. Applicant shall be permitted to store crushed concrete in a 40' x 100' area which shall be shown on the Final Site Plan. The overall height shall not exceed thirty (30) feet.**
- D. Landscaping or solid fencing shall be installed such that all concrete, stone and/or pool or other equipment storage shall be completely screened from adjacent residential dwellings and public view. The landscaping or solid fencing shall be shown on the Final Site Plan.**
- E. Any security lighting shall be downward screened so that it does not shine on neighboring properties or roadways.**
- F. Water shall be available at all times to control dust within the site.**
- G. One lighted sign shall be permitted. It shall not be greater than 32 square feet per side.**
- H. The Applicant shall comply with all roadway and entrance improvements required by DelDOT. The site's entrance shall be approved by DelDOT as a commercial entrance.**
- I. The Applicant shall not advertise or display products within the front yard area except in the form of landscaping beds and planters.**

**M 388 17
Adopt
Ordinance
No. 2515/
CU 2083
(continued)**

- J. There shall be no parking within the front yard setback.**
- K. The location of all storage areas, including crushed concrete, stone and pool storage, shall be designated and shown on the Final Site Plan.**
- L. Failure to comply with any condition contained herein shall invalidate the Conditional Use.**
- M. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

Motion Adopted: 5 Yeas.

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

**Grant
Requests**

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

**M 389 17
Council-
manic
Grant**

A Motion was made by Mr. Wilson, seconded by Mr. Burton, to give \$1,000.00 (\$500.00 each from Mr. Burton's and Mr. Wilson's Councilmanic Grant Accounts) to the Chamber of Commerce for Greater Milford for the Riverwalk Freedom Festival.

Motion Adopted: 5 Yeas.

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

**M 390 17
County-
wide
Grant**

A Motion was made by Mr. Cole, seconded by Mr. Burton, to give \$1,500.00 from Countywide Youth Grants to Coastal Concerts for the student scholarship fund.

Motion Adopted: 5 Yeas.

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

**M 391 17
Council-
manic
Grant**

A Motion was made by Mr. Wilson, seconded by Mr. Arlett, to give \$5,000.00 (\$2,500.00 each from Mr. Wilson's and Mr. Arlett's Councilmanic Grant Accounts) to the Millsboro Historical Society for restoration and maintenance of the Godwin School.

Motion Adopted: 5 Yeas.

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

**Introduction
of Proposed
Ordinances**

Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A LANDSCAPING BUSINESS WITH OUTDOOR STORAGE AND A RETAIL GARDEN CENTER TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN CEDAR CREEK AND BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 39.004 ACRES, MORE OR LESS” (Conditional Use No. 2108) filed on behalf of Bella Terra, LLC (Tax I.D. No. 230-27.00-70.00) (911 Address: 13482 Spicer Road, Ellendale).

Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.85 ACRES, MORE OR LESS” (Change of Zone No. 1838) filed on behalf of Two Farms, Inc. (Tax I.D. No. 135-11.00-78.00) (911 Address: 24616 Lewes-Georgetown Highway, Georgetown).

Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 4.0 ACRES, MORE OR LESS” (Change of Zone No. 1839) filed on behalf of Dale Lomas/Seashore Highway Associates, LLC (Tax I.D. No. 334-4.00-37.04) (911 Address: Not Available).

Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT AND A GR GENERAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 16.211147 ACRES, MORE OR LESS” (Change of Zone No. 1837) filed on behalf of ABC Woodlands, LLC (Tax I.D. No. 234-23.00-273.01, 234-23.00-273.02, and 234-23.00-273.03) (911 Address: Not Available).

**Council
Members’
Comments**

Council Members’ Comments

Mr. Arlett and Mr. Vincent congratulated the Delaware District III Georgetown Senior League softball team, winner of the World Series held in Roxana. Mr. Vincent noted that a parade will be held on Sunday, August 6th, in Georgetown.

**Council
Members'
Comments
(continued)**

Mr. Cole commented on the Artesian proposal on which public comments were made earlier in the meeting and asked Mr. Moore to review this matter to determine the status of the project.

Mr. Cole commented on complaints received regarding a pump station and he noted that the Engineering Department is addressing the matter.

Mr. Arlett thanked Mr. Reiger for his comments on zoning matters.

Mr. Cole commented on the Crabs & Conservation event that will be hosted by the Sussex Conservation District on August 9th.

**M 392 17
Adjourn**

A Motion was made by Mr. Cole, seconded by Mr. Arlett, to adjourn at 1:20 p.m.

Motion Adopted: 5 Yeas.

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

Respectfully submitted,

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

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

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE

sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

August 14, 2017

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
LEWES CROSSING - PHASE 7
AGREEMENT NO. 866 - 10

DEVELOPER:

Ms. Megan Conner
Lewes Crossing Capital Partners, LLC
5950 Symphony Woods Rd.
Suite 408
Columbia, MD 21044

LOCATION:

South side Rt. 9, north and south sides of Rd.
285, Beaver Dam Rd.

SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

40 Single Family Lots

SYSTEM CONNECTION CHARGES:

\$231,000.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
9/12/13

Department of Natural Resources Plan Approval
02/04/13

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90

Construction Admin and Construction Inspection Cost – \$15,317.10

Proposed Construction Cost – \$102,114.00



ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
ENVIRONMENTAL SERVICES	(302) 855-7730
PUBLIC WORKS	(302) 855-7703
RECORDS MANAGEMENT	(302) 854-5033
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

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

August 14, 2017

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
THE LANDINGS AT PEPPER CREEK (A/K/A THE MARINA AT PEPPER'S CREEK) -
PHASE 3-5
AGREEMENT NO. 516 - 7

DEVELOPER:

Mr. Bobby Horsey
HKS 4 LLC
28107 Beaver Dam Branch Road
Laurel, DE 19956

LOCATION:

South side County Road 336 (Piney Neck Road),
East of County Road 335A (Adams Road)..Marina
at Piney Neck Road. (Tidewater Utilities)

SANITARY SEWER DISTRICT:

Dagsboro/Frankford Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Single Family Subdivision 17 lots in this phase

SYSTEM CONNECTION CHARGES:

\$98,175.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
03/10/14

Department of Natural Resources Plan Approval
3/30/17

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 60

Construction Admin and Construction Inspection Cost – \$8,365.73

Proposed Construction Cost – \$55,771.50



ENGINEERING DEPARTMENT

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



Sussex County

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

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

August 14, 2017

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
SHOWFIELD - PHASE 2
AGREEMENT NO. 1017 - 1

DEVELOPER:

Nick Hammonds
Showfield Lewes, LP
246 Rehoboth Avenue
Rehoboth Beach, DE 19971

LOCATION:

Northwesterly side of Road 267 adjacent to
Breakwater RPC.

SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

29 single family lots in this phase.

SYSTEM CONNECTION CHARGES:

\$167,475.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
05/19/15

Department of Natural Resources Plan Approval
6/4/15

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 70
Construction Admin and Construction Inspection Cost – \$14,003.63
Proposed Construction Cost – \$93,357.50



ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE

sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

August 14, 2017

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
SHOWFIELD - PHASE 2A (PS&FM)
AGREEMENT NO. 1017 - 2

DEVELOPER:

Nick Hammonds
Showfield Lewes, LP
246 Rehoboth Avenue
Rehoboth Beach, DE 19971

LOCATION:

Northwesterly side of Road 267 adjacent to
Breakwater RPC.

SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

Pump station and force main.

SYSTEM CONNECTION CHARGES:

\$0.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
05/19/15

Department of Natural Resources Plan Approval
06/04/15

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 270
Construction Admin and Construction Inspection Cost – \$45,923.93
Proposed Construction Cost – \$306,159.50



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

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE

sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

BRAD HAWKES
DIRECTOR OF UTILITY ENGINEERING

August 14, 2017

FACT SHEET

SUSSEX COUNTY PROJECT 81-04
SHOWFIELD - PHASE 3
AGREEMENT NO. 1017 - 3

DEVELOPER:

Nick Hammonds
Showfield Lewes, LP
246 Rehoboth Avenue
Rehoboth Beach, DE 19971

LOCATION:

Northwesterly side of Road 267 adjacent to
Breakwater RPC.

SANITARY SEWER DISTRICT:

West Rehoboth Expansion of the Dewey Beach Sanitary Sewer District

TYPE AND SIZE DEVELOPMENT:

22 single family lots in this phase.

SYSTEM CONNECTION CHARGES:

\$127,050.00

SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval
05/19/15

Department of Natural Resources Plan Approval
06/04/15

SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 60
Construction Admin and Construction Inspection Cost – \$9,868.13
Proposed Construction Cost – \$65,787.50



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

SALISBURY ANNEXATION
FACT SHEET

- Request for permission to prepare and post notices for an expansion of the Sussex County Unified Sanitary Sewer District (Miller Creek Area) was granted on June 27, 2017.
- The owner of Parcel 134-19.00-69.00 has requested annexation.
- The owner is desirous of constructing their single-family home at this time with plans on sub-dividing several lots of in the future.
- The parcel is adjacent to our sewer district and the Engineering Department has planned capacity for the parcel.
- The owner is aware that a lateral needs to be installed for their home and this cost is their responsibility.
- Any further subdivision of the parcel will require additional laterals, also at the owner's expense.
- The project will be responsible for System Connection Charges in place at the time of connection.
- Parcel was posted on July 10, 2017
- We have received not correspondence in support or against the annexation.

RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) MILLER CREEK AREA, TO INCLUDE A PARCEL OF LAND (134-19.00-69.00) ALONG THE SOUTH SIDE OF DOUBLE BRIDGES ROAD LOCATED IN THE BALTIMORE HUNDRED, SUSSEX COUNTY, DELAWARE AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS, IN AND FOR SUSSEX COUNTY, DELAWARE.

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

WHEREAS, in the best interests of the present district and to enhance the general health and welfare of that portion of Sussex County along Double Bridges 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 south side of Branch Road, as follows:

Beginning at a point, said point being the northwesternmost property corner of lands N/F Banks Properties LLC, a point on the southerly ROW of Double Bridges Road and said point also be on the easterly ROW of Wooded Way, said point further being on the boundary of the Sussex County Unified Sanitary Sewer District – Miller Creek Area; thence proceeding by and with said sewer district boundary the following courses and distance, southeasterly 585 ± feet and northeasterly 568.07± feet to a point, said point being the southeasternmost property corner of said lands of Banks Properties LLC and a point on the boundary of lands N/F of State of Delaware, thence by and with said lands of State northwesterly 368.43± feet to a point, said point being the southeasternmost property corner of lands N/F of Charles L. & Bertha M. Payton, thence by and with said lands of Payton in a southwesterly direction 103.58 ± feet to a point, said point being the southwesternmost property corner of said lands of Payton and the southeasternmost property corner of lands N/F of Ricky L. & Laura Hess, thence by and with said lands of Hess the following directions and distances southwesterly 103.58± feet and northwesterly 200.07± feet to a point, said point being the northwesternmost property corner of said lands of Hess and a point on the southerly

ROW of Double Bridges Road, thence by and with said ROW of Double Bridges Road in a generally westerly direction 173.71± feet to a point, said point being that of the **BEGINNING**.

NOTE: The above description has been prepared using Sussex County Tax Map 134-19.00 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 EXPANSION OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (MILLER CREEK AREA)

NOTICE IS HEREBY GIVEN that the Sussex County Council voted on **June 27, 2017** to consider extending the boundary of the Sussex County Unified Sanitary Sewer District (SCUSSD), Miller Creek Area, to include a parcel of land along the south side of Double Bridges Road, being situate in Baltimore Hundred, Sussex County, Delaware. The parcel being district – map – parcel 134-19.00-69.00.

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 northwesternmost property corner of lands N/F Banks Properties LLC, a point on the southerly ROW of Double Bridges Road and said point also be on the easterly ROW of Wooded Way, said point further being on the boundary of the Sussex County Unified Sanitary Sewer District – Miller Creek Area; thence proceeding by and with said sewer district boundary the following courses and distance, southeasterly 585 ± feet and northeasterly 568.07± feet to a point, said point being the southeasternmost property corner of said lands of Banks Properties LLC and a point on the boundary of lands N/F of State of Delaware, thence by and with said lands of State northwesterly 368.43± feet to a point, said point being the southeasternmost property corner of lands N/F of Charles L. & Bertha M. Payton, thence by and with said lands of Payton in a southwesterly direction 103.58 ± feet to a point, said point being the southwesternmost property corner of said lands of Payton and the southeasternmost property corner of lands N/F of Ricky L. & Laura Hess, thence by and with said lands of Hess the following directions and distances southwesterly 103.58± feet and northwesterly 200.07± feet to a point, said point being the northwesternmost property corner of said lands of Hess and a point on the southerly ROW of Double Bridges Road, thence by and with said ROW of Double Bridges Road in a generally westerly direction 173.71± feet to a point, said point being that of the **BEGINNING**.

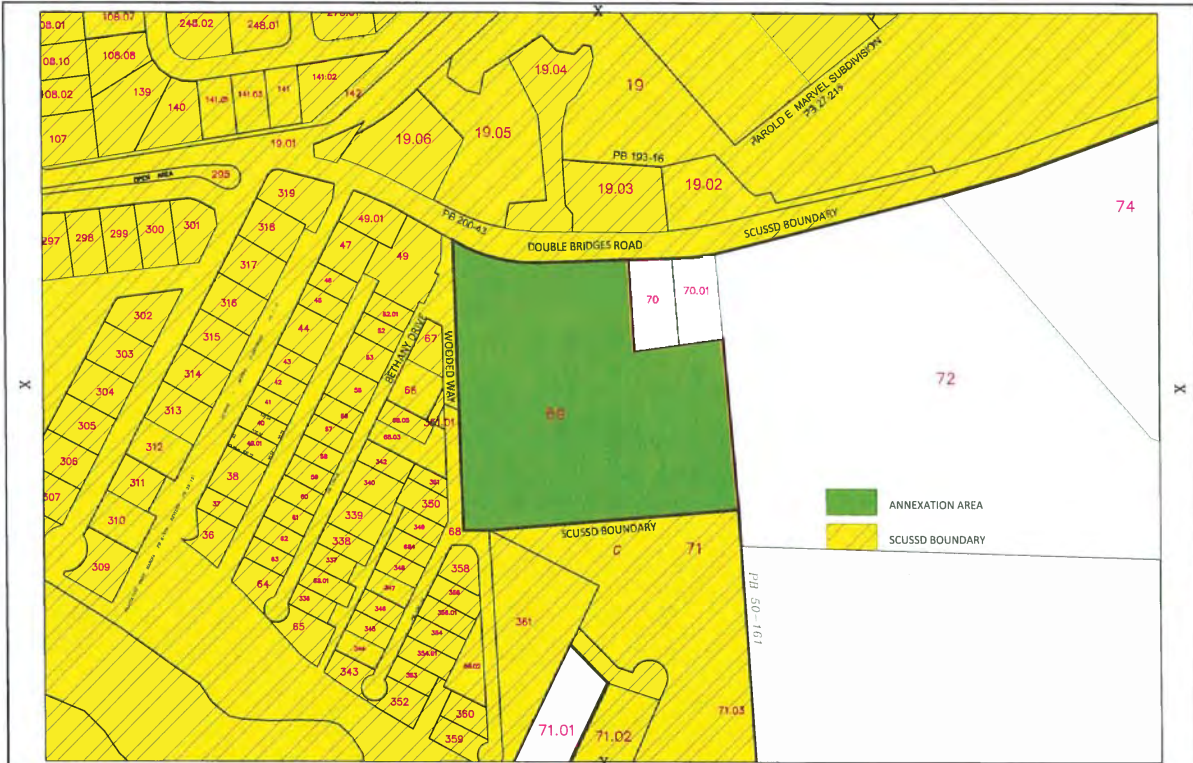
NOTE: The above description has been prepared using Sussex County Tax Map 134-19.00 and Sussex County property assessment records. The parcel contains 6.24 acres more or less.

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 10:15 a.m. on August 22, 2017 in the Sussex County Council Chambers, County Administrative Offices, 2 The Circle, Georgetown, Delaware. 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



NO.	DESCRIPTION	DATE

SUSSEX COUNTY ENGINEERING DEPARTMENT
PROPOSED ROBIN SALISBURY ANNEXATION OF THE SUSSEX COUNTY
UNIFIED SANITARY SEWER DISTRICT (SCUSSD) – MILLER CREEK AREA

PUBLIC HEARING AUGUST 22, 2017
 @10:15 AM SUSSEX COUNTY
 COUNCIL CHAMBERS

SHEET
1 OF 1

FOR MORE INFORMATION PLEASE VISIT: <https://www.sussexcountynj.gov/legal-notices/sewer-water>. Or call Sussex County Utility Planning at 302-855-1299

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



Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

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

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Todd Lawson, County Administrator, Everett Moore, County Attorney, Vince Robertson,
Assistant County Attorney,

Date: August 18, 2017

RE: Poultry House Zoning Regulation Discussion

On your agenda of August 22, 2107 there is discussion on poultry house zoning regulation. Staff has met with the local poultry stakeholders. Staff has also met with the Delmarva Poultry Industry, Inc. (DPI). The discussion on the 22nd is to go over the recommendations from DPI and seek County Council feedback.

Enclosed is a summary of the County's current regulations regarding poultry houses, the recommendation of DPI and the DPI White Paper.



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

**SUMMARY TABLE OF PROPOSED POULTRY REGULATIONS
AUGUST 2017**

	SETBACK	ACREAGE / LOT	BUFFERS	TUNNEL VENTILATION
CURRENT REGULATIONS	<ul style="list-style-type: none"> • 200 feet from dwelling on property of other ownership • 50 feet from all boundary lines • 200 feet from any UR, MR, HR, UB or B-1 District boundary 	On a farm of five acres of more	N/A	N/A
PROPOSED NEW REGULATIONS	<ul style="list-style-type: none"> • 400 feet from dwelling on property of other ownership • 200 feet from the center of the public road with a minimum 25 foot vegetative buffer • 100 feet from property lines with a 50 feet vegetative buffer, reduced to 25 feet vegetative buffer with increased plant density 	On a farm of five acres of more	<ul style="list-style-type: none"> • Buffers should include specifically selected trees and tall grasses to capture air emissions and use nutrients already in the soil near the houses • Buffers should be installed before placing birds in the houses 	<ul style="list-style-type: none"> • Should be located at ends of poultry houses to minimize effects upon neighbors with vegetative buffers encouraged

###



DELMARVA POULTRY INDUSTRY, INC.

16686 COUNTY SEAT HIGHWAY • GEORGETOWN, DELAWARE 19947-4881
PHONE: 302-856-9037 FAX: 302-856-9799 E-MAIL: dpi@dpichicken.com
www.dpichicken.org

Best Management Practices for Good Neighbor Relations

Delmarva Poultry Industry, Inc.

Revised and Approved by DPI Board of Directors

June 9, 2015

The poultry industry has been an important component of the Delmarva Peninsula for more than 90 years and remains essential for the economic health and positive quality of life of our region. It has provided a rural way of life for thousands of farm families. It provides jobs for tens of thousands of persons, either directly or through the multiplier effect. In addition, the poultry industry helps keep many farms strong and in business. This in turn leads to continued working farms and much coveted open spaces that non-farm persons can enjoy without charge.

While the poultry industry works to feed America, it faces challenges from neighbors. Urban encroachment from persons not familiar with good operating practices on poultry farms and new technologies in poultry houses have led to some misunderstandings and challenges.

Poultry growers want to be good neighbors and are committed to working hard to achieve that goal. At the same time, they ask neighbors to be cooperative as well. This document puts forth industry agreed upon **Best Management Practices for Good Neighbor Relations**. These practices are voluntary. They are offered in lieu of government intervention to improve relationships among poultry growers and their neighbors.

House Location on Property

Growers who have been working with government agencies, such as the conservation districts, the USDA Natural Resources Conservation Service, and/or the university Extension Service on the construction of new houses, will examine the proposed site with consideration given to the guidelines in this document, including but not limited to density of poultry houses on the property; the configuration of houses, manure storage buildings, and carcass-handling systems as they relate to neighbors; the placement of ventilation fans to minimize disturbances to neighbors; the need for and/or early design of Vegetative Environmental Buffers; the potential spread of diseases; and outreach to adjacent property owners early in the process to minimize neighbor concerns.

While existing poultry houses will not be moved to accommodate neighbors, poultry growers need to be mindful of certain circumstances that could minimize inconveniences to neighbors. Attention should be paid to possible locations of future residential housing in relation to the farm. Although it is not possible to plan for every contingency, we can use good judgment about forecasting future development.

All new poultry houses and manure storage buildings must adhere to standards that meet county zoning regulations. These standards include proximity to adjoining property, adjoining dwellings, adjoining public use facilities, public roads, and even neighboring poultry houses. The exceptions would be those requested by growers with existing poultry

houses and approved by the county zoning authorities. They must adhere to zoning ordinances in effect at the time that permitting was approved.

To create consistency among Delmarva's counties, the following standards are endorsed by Delmarva's poultry industry. These minimum standards in some counties may be less than what now is in effect. In those situations, we do not propose to loosen the existing standards. The voluntary guidelines shown below will apply to new poultry houses on a farm, but not for new houses replacing old, out of production houses or now-destroyed houses. For replacement houses on existing farms, county land use and zoning authorities are urged to keep in mind the economic investments growers have and to grandfather poultry production on that site to allow them to continue their agricultural businesses in agricultural areas even if the new houses do not meet the voluntary standards shown below. Existing setbacks for existing poultry houses will be extended to new poultry houses on existing poultry farms to allow consistency on the property and to avoid economic hardship for growers wishing to expand their operations.

For new poultry houses and accessory structures, it is our goal to have a minimum 400 foot setback with a buffer from a legal residential dwelling not on the poultry farm. There can be a site specific reduction of the 400 foot setback with installation of additional buffers to create a setback of no less than 300 feet.

New poultry houses and accessory structures should be a minimum of 200 feet from the center of the public road with installation of a minimum 25 foot-wide Vegetative Environmental Buffer.

New poultry houses and accessory buildings should have a minimum setback of 100 feet from property lines with a recommended 50- foot-wide buffer or a 25 foot-wide buffer with increased plant density.

As part of the construction of poultry houses, growers should plan and install vegetative buffers of specifically selected trees and tall grasses to capture air emissions from the houses and to use nutrients already in the soil near the houses. Poultry companies and lenders are urged to consider the need for and/or early design of Vegetative Environmental Buffers as a prerequisite for placing birds in the houses.

New poultry houses should be sited to allow adequate vehicle access without jeopardizing safety on public roads while minimizing noise-related concerns for adjoining properties. Farm entrances should be strategically placed as far from neighboring dwellings as practical while still allowing adequate vehicle access to the poultry farms. In other words, driveways should not be placed next to neighbors if workable alternatives exist.

Particular attention should be given to the configuration of poultry houses and manure structures/composters on poultry farms. Tunnel fans, necessary for maintaining good air quality and optimum bird welfare conditions, need to be located on the ends of the houses where there is minimal inconvenience to neighbors. When making these decisions, growers and poultry companies should consider the direction of prevailing winds and the proximity to neighbors' homes and properties to prevent, as far as practical, noise pollution, visual disturbances, and the movement of odors, dust, and feathers to adjoining properties. While such things are normal for poultry farms and should not be considered nuisances in agriculturally zoned areas, they could be objectionable to persons not familiar with chicken production. While state and county right to farm laws should exonerate poultry growers from such complaints, growers need to make every effort, when practical, to minimize such practices that some people could consider offensive. Even when poultry houses and manure structures/composters are properly located to avoid neighbor disturbances, Vegetative Environmental Buffers should be encouraged.

In addition, growers will work to operate manure storage structures and carcass composters to minimize objections to persons on adjoining properties, dwellings, and public roads. As with poultry houses, they should be placed according to county ordinances. Such environmental practices should be sited so the interior of these structures is not visible to travelers and neighbors.

Manure Handling Practices

Poultry farms on the Delmarva Peninsula are required by law to have nutrient management plans. Many farms are required to meet additional environmental standards if they are classified as Concentrated Animal Feeding Operations (CAFOs). These requirements guide growers on how to handle their manure, whether they apply it to land or move it off their farms. Poultry growers must be in compliance with the laws and regulations and are expected to have and implement their nutrient management plans.

When possible and practical, poultry growers should work to minimize the spread of dust, feathers, and odors by scheduling land application of manure at times that will least affect neighbors. This is not always possible due to weather conditions and the scheduling of poultry house out cleanouts that often are outside of their control. Manure must be handled and stored properly following state and federal requirements.

Carcass Disposal System

Considerable improvements have been made in carcass disposal in the last decade. On-the-farm composting of carcasses and government approved cremators are acceptable practices and ones that produce a safe product that can be recycled into crop growing operations. Other options such as on-farm freezers allow proper carcass handling. Poultry growers have a responsibility to ensure timely disposal of carcasses in an approved manner. This provides a better environment for growing chickens, prevents odors, and prevents access to carcasses by wild birds and vermin.

Vegetative Buffers

Vegetative buffers need to be part of the design and layout of new houses, not an afterthought for incorporation after houses are built. Vegetative buffers around poultry houses or poultry farms can provide good neighbor, environmental, and bird production benefits. Specifically selected trees, tall grasses, and shrubs, planted in appropriate locations, can eliminate or reduce neighbor complaints about poultry operations. Each farm's needs are different and care must be taken to select trees and sites that are farm specific. Work must be done to maintain the buffers once they are established.

Trees around poultry houses can provide visual screening from neighboring properties, can capture the normal dust, feathers, and odors associated with poultry production, and through their roots can absorb soil and water-held nutrients such as nitrogen and phosphorus. Additionally, trees can add value to the poultry property.

Poultry growers are urged to establish vegetative buffers around new and existing poultry farms and houses.

Odor Prevention and Control

Despite our best efforts that include changes in diets, improved genetics, and improvements in poultry house management, odors on poultry farms cannot totally be eliminated. Poultry growers are aware that odors that reach neighboring properties can cause concerns and that is why they work to minimize them. Litter moisture management is a major opportunity for growers to reduce odors. Effective practices include the use of products that reduce or capture ammonia emissions, proper handling of carcasses and manure/litter, proper operation and maintenance of in-house water lines, and vegetative buffers. A grower's first concern is producing poultry that meets animal welfare guidelines and the high expectations of their poultry companies and customers. Dealing with unhappy neighbors due to complaints takes time away from their main mission. Efforts that foster good neighbor relations is time well-spent.

Contact with Neighbors

Despite the long history and the importance of the poultry industry to Delmarva, many persons are unaware of how our industry operates. Except for driving by or living near poultry farms, most people in our region do not have direct contact with the poultry industry. For this reason, it is important that poultry growers reach out to their neighbors to show them how they grow chickens and why things are done as they are. Practicing good biosecurity, poultry growers should share information about their operation with neighbors. Show them what goes on inside the poultry house.

Often, growers plan changes in their operations. Giving neighbors a heads up about proposed changes and seeking their support could prevent problems later.

Growers should put themselves in their neighbors' shoes and determine how they would like living next to their own poultry farm. It is important to keep the property attractive. A well maintained farm generally is indicative of a well-run farm. Properly maintaining grassy areas, keeping weeds under control, and proper trash disposal are small tasks that demonstrate a caring neighbor. Maintaining the roads will help eliminate mud and other debris from public roadways. A well maintained Vegetative Environmental Buffer will help contain dust and feathers from encroaching neighboring properties. A well cared for farm is less likely to generate complaints than one that is poorly maintained.

Building good neighbor relations can involve providing an occasional helping hand. Following snow storms, growers should offer to help plow out neighbors. Because poultry growers often have equipment and vehicles that neighbors don't have, growers should generously offer help at other times as well.

Few things can create neighbor antagonism quicker than not living up to your commitments. Poultry growers need to do what they say they are going to do. Being a good neighbor is as simple as practicing the Golden Rule.



Sussex County EMS

AHA Mission LifeLine Performance



The American Heart Association recognizes this EMS provider for attaining 75% or higher performance on each applicable Mission: LifelineSM EMS Achievement Measure and the PLUS measure for a consecutive 12-month interval to improve the quality of care for STEMI patients.

Inclusion Criteria

Patient's with non-traumatic chest pain, 35 years of age and older, and transported by EMS
The minimum goal for all measures is 75% compliance.

Measure 1

Percentage of 12-lead EKGs acquired on patients meeting the inclusion criteria noted above
SCEMS Annual Percentage: 90.2%

Why is this important- an early 12-lead EKG will allow the paramedics to quickly identify the presence of an ST Segment Elevated Myocardial Infarction (STEMI) which is the deadliest type of heart attack that blocks blood flow to the heart muscle.

Measure 1 PLUS

Percentage of 12-leads EKGs acquired within 10 minutes of Paramedic FMC (First Medical Contact)
SCEMS Annual Percentage: 98.5%

Why is this important- Prompt recognition allows for prompt notification to the hospital so they can begin to plan for the patient's arrival, which may include recalling *on-call* staff during evening and nighttime hours.

Measure 2

Percent Paramedic FMC (First Medical Contact) to device activation/primary PCI in 90 minutes or less
SCEMS and Nanticoke Health Combined Annual Percentage: 81%

Why is this important- Device activation, or commonly known as a balloon procedure in the cardiac catheterization lab, is the most effective treatment for a STEMI. The quicker the device (the balloon), can be activated (inflated) the quicker blood flow to the heart can resume. Time=Muscle! This benchmark evaluates the overall system performance and teamwork starting with EMS through the Emergency Department and ultimately the cardiac catheterization lab.

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE
sussexcountyde.gov
HANS M. MEDLARZ, P.E.
COUNTY ENGINEER
JOSEPH WRIGHT, P.E.
ASSISTANT COUNTY ENGINEER

Memorandum

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

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

RE: ***Asset Management, Phase II
KCI Technologies, Inc. – Contract Amendment No.2
Eastern Shore Regional GIS Cooperative Continued Authorization***

DATE: August 22, 2017

On September 15, 2015, Utility Planning presented a DNREC sponsored Asset Management Initiative to finance part of the expense of implementing a multiyear asset management program development effort. After the presentation, Council approved Resolution No. R 015-15 authorizing the Engineering Department to submit the financial assistance request for \$100,000 towards the program implementation. The request was approved, and the County is in receipt of the State grant assistance.

On June 3, 2014, County Council awarded five-year on-call contracts for miscellaneous consultant services to KCI Technologies and six (6) other engineering firms. On March 17, 2015, Amendment No. 1 for PS #33 upgrades was executed, in the amount of \$218,181.00. On October 29, 2015, the Engineering Department approved a P.O. under the KCI Technologies' base contract covering the Asset Management program initiation and the associated pilot project in the amount of \$48,927.70. In an effort to reduce cost and streamline the mapping component of the program implementation the Engineering Department with the assistance of the County Mapping & Addressing Section brought in Salisbury University's Eastern Shore Regional GIS Cooperative who had previously assisted the Sussex County Planning Department. Two (2) purchase orders were executed with the Cooperative in November 2016 for a total of \$65,220.00 covering fiscal years 2017 and 2018.

During the pilot stage development of the Asset Management Program, the County Team met with KCI Technologies and the Eastern Shore Regional GIS Cooperative several times discussing the approach and implementation with the intent of obtaining the most economical path forward. The Engineering Department is now requesting to proceed with the Amendment No. 2 to KCI Technologies' base contract in the amount of \$123,860.00 representing the next stages of the Asset Management Program implementation effort. In addition, we request authorization to continue the cooperation with the Eastern Shore Regional GIS Cooperative utilizing their pool of student interns in an amount not to exceed an additional \$25,000.00.



ENGINEERING DEPARTMENT

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Sussex County

DELAWARE
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HANS M. MEDLARZ, P.E.
COUNTY ENGINEER
JOSEPH WRIGHT, P.E.
ASSISTANT COUNTY ENGINEER

Memorandum

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

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

RE: ***SOUTH COASTAL REGIONAL WASTEWATER FACILITY (SCRWF)***
Approval of Amendment No.12 under GHD, Inc. Base Contract
Preparation of Construction Bid Documents & Bid Phase Services

DATE: August 22, 2017

GHD, Inc., formally known as Sterns & Wheler, LLC, held the engineering services contract associated with the SCRWF since December 7, 2001. Since then, Sussex County awarded eleven (11) amendments for additional services under the base contract, the last one was executed on October 25, 2016 for \$242,114.00 for the preparation of the conceptual design development (30% Design Stage) associated with the proposed third upgrade project at SCRWF. This phase of the expansion was completed in time to populate the 2018 budget for the design funding and later budgets with construction cost estimates.

The Engineering Department is now requesting to proceed with the preparation of construction bid documents and bid phase services by GHD, Inc. Previously they had designed SCRWF treatment upgrade no. 2 in 2004, which took the facility to a design capacity of 7.00 MGD. Based on current growth rates in the South Coastal Planning Area, Sussex County is now budgeting treatment upgrade no.3 to meet the demand of the 20-year planning period by expanding the design capacity to 10.00 MGD.

During the conceptual design development, we met with GHD, Inc. several times discussing the design approach with the intent of obtaining the most economical path forward. The attached “not to exceed” proposal in the amount of \$2,240,286.38 represents a well-balanced scope of professional services. It includes a task for the coordination effort between GHD’s SCRWF and the Rehoboth Beach WWTP upgrade design teams. The specific cost savings items to be addressed are electrical, instrumentation and controls design coordination as well as solids dewatering and hauling coordination. In addition, we are trying to merge the timelines for both projects to reduce the construction administration cost by GHD, Inc.



SOUTH COASTAL REGIONAL WASTEWATER FACILITIES

SUSSEX COUNTY, DELAWARE

CONTRACT AMENDMENT NO. 12

This contract amendment, **Contract Amendment No. 12** dated _____, **2017** amends our original contract dated December 7, 2001, between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and GHD, Inc., a State of Maryland Corporation, hereinafter referred to as CONSULTANT, whose address is 16701 Melford Boulevard, Suite 330, Bowie, Maryland 20715. Except as specifically amended herein, the provisions of the Original Contract dated December 7, 2001, as thereafter amended, remain in effect and fully valid.

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

ARTICLE FOUR

FEE STRUCTURE

- 4.4.1 The previous versions of Section 4.4 as set forth in **Contract Amendment Nos. 1 to 11** are hereby incorporated by reference. Notwithstanding any language to the contrary in such Amendments, the parties agree that those Amendments are intended to be additions to the Original Contract between the parties dated December 7, 2001.
- 4.4.2 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3, and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Final Design Construction Documents for the Expansion of the South Coastal Regional Wastewater Facilities** as set forth in **Attachment A**, which is attached hereto and incorporated by reference, shall not exceed **Two Million, Two Hundred Forty Thousand Two Hundred Eighty-Six dollars and Thirty-Eight cents (\$2,240,286.38)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4.2 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

ARTICLE FOURTEEN
INCORPORATED DOCUMENTS

- 14.2 **Attachment A: Consultant's Scope of Services, Final Design Construction Documents for the Expansion of the South Coastal Regional Wastewater Facilities with Man-hour Spreadsheets. (Contract Amendment No. 12).**

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

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

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. **12** to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:
SUSSEX COUNTY

President, Sussex County Council

PREVIOUSLY APPROVED FORM

Date

ATTEST:

Clerk of the Sussex County Council

FOR THE CONSULTANT:

GHD, Inc.

Thor Young, P.E.

WITNESS:



ATTACHMENT A

August 4, 2017

Mr. Hans M. Medlarz, P.E.
Sussex County
PO Box 589
2 The Circle
Georgetown, DE 19947

Re: Design Engineering Services Proposal
Expansion of the South Coastal Regional Wastewater Facilities from 6 to 10 mgd

Dear Mr. Medlarz:

GHD is pleased to submit this revised proposal for Design Engineering Services for the Expansion of the South Coastal Regional Wastewater Facilities from 6.0 to 10.0 mgd.

OVERVIEW

Under Amendment No. 11 (signed October 25, 2016) GHD completed Conceptual Design Development services for the expansion of the South Coastal Regional Wastewater Facilities. The scope and fee presented herein covers detailed design engineering to provide Bid Documents and Bid Phase engineering services. It is anticipated that construction engineering and inspection will be covered under a future amendment to be negotiated once the project is bid and awarded for construction.

PER SCOPE OF SERVICES

GHD will provide the following design services for the expansion:

- 1) General
 - a) One set of Bid Documents will be prepared for construction under a single contract financed through local County funding
 - b) Bid Documents will consist of a Project Manual and Contract Drawings that specify and detail bidding and construction contract requirements for implementation of the proposed improvements. The Bid Documents for the construction contract will include the following:
 - i) The Project Manual will include "front end" documents (Advertisement for Bids, Instructions to Bidders, Bid Form, and Agreement including General and Supplementary Conditions) and Technical Specifications.
 - ii) The "front end" documents will be developed based on the 2013 edition of documents published by the Engineers Joint Contract Documents Committee (EJCDC) and amended as necessary to incorporate Sussex County requirements.
 - iii) The Technical Specifications will be prepared using the 16 Division format published by the Construction Specifications Institute (CSI).
 - iv) Due to the specialized and complex nature of this project, customized technical specifications developed by GHD will be used for Divisions 1 through 16.
 - v) Field testing services (e.g; compaction testing, concrete testing, etc.) will be defined in the Project Manual such that the work is included in the construction contractor's scope of work.

- c) Deliverables:
 - i) Draft bid documents will be provided for County review at the 60%, 90%, and pre-100% stage of completion. Each deliverable will include up to five (5) paper copies, with drawings provided at half-scale. Electronic copies of each submittal will also be provided in PDF format.
- d) Meetings:
 - i) Review meetings will be held with the County two weeks after the 60%, 90%, and pre-100% submittals.
- e) Opinions of probable construction cost.
 - i) Updated Engineer's opinion of probable construction cost will be provided at 60%, 90% and 100% design completion.
- 2) Detailed Design Scope
 - a) General – Design shall include design of all work shown in Conceptual Design drawings except for that noted as “future”.
 - b) Supplemental Process Data - Collect two days of additional plant performance data over peak loading weekend to confirm design loads.
 - c) Process and hydraulic modeling – Finalize process and hydraulic modeling based on final design configuration and additional plant performance data collected above.
 - d) Headworks
 - i) Modification to Receiving Tower per Conceptual Design.
 - ii) Third screening channel and mechanical screen.
 - iii) Grit unit modifications.
 - iv) Channel concrete repair.
 - v) Motorized gate operators.
 - e) Flow equalization
 - i) Conversion of East and West Treatment Plants to unaerated flow equalization tanks.
 - ii) Modification to flow equalization influent channel and piping.
 - iii) New return flow pump for each new flow equalization tank.
 - iv) Replacement of return flow pump for existing Surge Tank.
 - f) Aeration Tanks
 - i) New aeration tank flow distribution box.
 - ii) New recycle flow distribution box.
 - iii) Modifications to existing aeration tanks including diffuser modifications, new baffle walls, and drain pump connections.
 - iv) New aeration tanks No. 5 to 8.
 - g) Blower Building
 - i) New blower building with high speed turbo blowers to supplement existing blowers.
 - h) Clarifiers
 - i) New clarifiers No. 3 and 4.
 - ii) Modifications to existing clarifier flow distribution box.
 - i) Return Sludge Building
 - i) New Return Sludge Building No. 2.
 - j) Effluent Filters
 - i) Demolition of effluent filter No. 1 and recycle pumping stations.
 - ii) Modifications to effluent filter No. 2.
 - iii) New effluent filter No. 3.
 - iv) New recycle pumping station.
 - v) Replacement of existing old air compressors and dryers.
 - k) Chlorine Contact Tanks
 - i) Modifications to existing chlorine contract tanks.
 - ii) New flow meter vaults.

- iii) Expansion of hypochlorite storage area for third storage tank.
- l) Effluent pumping station
 - i) New effluent pumping station.
- m) Solids Handling
 - i) Replacement of Lagoon C liner and mixing system with jet mix system.
 - ii) Demolition of lime silo and RDP system.
 - iii) Rebuild of belt filter presses.
 - iv) Upgrade HVAC system.
 - v) New sludge conveyors and roll-off container load out conveyor.
- n) Mechanical Building
 - i) Demolition of decommissioned equipment and electrical.
 - ii) New caustic soda feed system.
- o) Yard Piping
 - i) Modifications and additions per Conceptual Design.
 - ii) Replacement of first 1,380 ft. of effluent force main.
- p) Power Distribution and Controls
 - i) Power distribution and controls to support new/modified systems.
 - ii) Demolition on decommissioned electrical and controls.
 - iii) Demolition of Mechanical Building emergency generator.
 - iv) New emergency generator for new secondary treatment system.
 - v) Modification of loads to existing emergency generator.
 - vi) Electrical classification of new and modified buildings and structures shall match existing per County direction.
- q) Site
 - i) Modification of vector dump station.
 - ii) New roadways per Conceptual Design.
 - iii) Stormwater management improvements to support expansion.
- r) Site Investigation
 - i) A topographic survey will be created for the WWTP site and 100' wide linear survey along effluent force main alignment. Horizontal datum shall be NAD83 and vertical datum shall be NAVD 88.
 - ii) Site geotechnical investigation will be conducted including 15 soil borings at depth of 40 ft. at the WWTP site for proposed new structures, 4 soil borings at depth of 20 ft. along the effluent forcemain replacement route, and 2 soil borings at depth of 15 ft. for stormwater management test areas. Soils laboratory testing and geotech report will be completed with recommendations for allowable soil bearing pressure, earth pressures for below grade walls, bearing grades, frost depth, foundations and foundation capacity for all new structures, estimated foundation settlements (where applicable), stormwater management facility recommendations, handling of groundwater in design, anticipated flow rates, including sub drainage design requirements and pressure relief for below-grade structures, if required. If any deep foundations are required at any of the structures, pile recommendations will be provided.
 - iii) New wetlands delineation is not anticipated as the 2002 site delineation from the previous expansion covered all areas of interest.
- s) Permits
 - i) GHD will assist with coordination with permitting agencies and the creation and filing of permit submittals. Permit fees, where applicable, will be paid by County.
 - (1) DNREC wastewater facilities construction permit
 - (2) Sediment and Stormwater Management Plan
 - (3) Construction Stormwater Discharge Permit NOI
 - (4) Building Permit

- (5) Well Permit (Dewatering)
- (6) Generator Air Permit
- t) Coordination with Rehoboth Beach WWTP Upgrade
 - i) GHD staff working on the South Coastal Regional Wastewater Facilities expansion design will coordinate with the team working on the Rehoboth Beach WWTP Upgrade design. Potential areas of coordination may include:
 - (1) Instrumentation and Controls Design coordination
 - (2) Solids dewatering and hauling coordination
 - (3) Bidding coordination
- 3) Bid Phase Services Scope
 - a) Provide Bid Documents to the County in electronic format (PDF) for the purpose of advertisement and distribution by the County. In addition, provide 10 paper copies of Project Manual and Drawings for internal County use.
 - b) Attend pre-bid meeting scheduled by the County and prepare minutes.
 - c) Review and respond to questions asked by potential bidders during Bidding. Incorporate comments into Addenda, to be given to the County in electronic format (PDF) for the purpose of distribution to potential bidders.
 - d) Attend bid opening.
 - e) Review all received bids for accuracy and completeness. Contact references for apparent low bidder.
 - f) Prepare a letter of recommendation for the County summarizing the bid results and recommendation for award.

SCHEDULE

The following schedule is proposed:

1. Four (4) months for 60% documents after authorization to proceed
2. Four (4) months for 90% documents after the 60% design review meeting
3. Four (4) months for pre-100% documents after the 90% design review meeting
4. Eight (8) weeks for final bid documents after the pre-100% meeting.

SUBCONSULTANTS

Use of two subconsultants are anticipated:

- John D. Hynes & Associates, Inc. for geotechnical engineering
- Axiom Engineering LLC for topographic survey

EXCLUSIONS

The following items are not included in GHD's Scope of Services:

1. Design of items not noted here or included in the Conceptual Design.
2. Construction Phase services including inspection.
3. Materials testing services.
4. Additional meetings or tasks beyond those identified herein.
5. Additional budgeted effort beyond that included in attached Hour and Cost Summary Table

ENGINEERING FEE

GHD proposes to provide engineering services for the Design Engineering Scope of Services based on direct hourly payroll costs paid to technical staff engaged on the project plus overhead and fringe benefit costs at GHD's annually adjusted audited overhead rate, plus out-of-pocket and subconsultant expenses at cost, plus a fixed fee of 10% on direct costs plus overhead and fringe benefit costs. Total engineering cost for the scope of work presented herein is estimated to be the following, not to be exceeded without County Engineer approval:

Description	Cost
Direct Wage Costs	\$768,991.50
Overhead and Fringe Benefits	\$1,215,006.57
Expenses	\$57,888.50
Fixed Fee	\$198,399.81
TOTAL	\$2,240,286.38

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

GHD



Thor Young, PE
Principal

TAY/kab

Attachments: Anticipated Drawing List
GHD 2017 Hourly Rates
Hour and Cost Summary Table

SCRWF Expansion Drawing List

Sht.	Dwg.	Drawing Title
<u>GENERAL</u>		
1	G	COVER SHEET
2	G	LIST OF DRAWINGS
3	G	LIST OF ABBREVIATIONS, SYMBOLS, AND LEGENDS
4	G	GENERAL NOTES
<u>CIVIL</u>		
5	C	EXISTING SITE PLAN
6	C	SITE DEMOLITION PLAN
7	C	OVERALL SITE AND KEY PLAN
8	C	PARTIAL SITE AND GRADING PLAN 1
9	C	PARTIAL SITE AND GRADING PLAN 2
10	C	PARTIAL YARD PIPING DEMOLITION PLAN 1
11	C	PARTIAL YARD PIPING DEMOLITION PLAN 2
12	C	PARTIAL YARD PIPING PLAN 1
13	C	PARTIAL YARD PIPING PLAN 2
14	C	YARD PIPING DETAIL 1
15	C	YARD PIPING DETAIL 2
16	C	YARD PIPING DETAIL 3
17	C	YARD PIPING DETAIL 4
18	C	PIPE PROFILES 1
19	C	PIPE PROFILES 2
20	C	PIPE PROFILES 3
21	C	PIPE PROFILES 4
22	C	PIPE PROFILES 5
23	C	PIPE PROFILES 6
24	C	EFFLUENT FORCE MAIN REPLACEMENT 1
25	C	EFFLUENT FORCE MAIN REPLACEMENT 2
26	C	EROSION AND SEDIMENT CONTROL PRE-DEVELOPMENT PLAN
27	C	EROSION AND SEDIMENT CONTROL POST-DEVELOPMENT PLAN
28	C	EROSION AND SEDIMENT CONTROL NOTES
29	C	EROSION AND SEDIMENT CONTROL DETAILS 1
30	C	EROSION AND SEDIMENT CONTROL DETAILS 2
31	C	EFFLUENT FORCE MAIN REPLACEMENT EROSION AND SEDIMENT CONTROL
32	C	STORMWATER MANAGEMENT PRE-DEVELOPMENT PLAN
33	C	STORMWATER MANAGEMENT POST-DEVELOPMENT PLAN
34	C	STORMWATER MANAGEMENT PARTIAL PLAN 1
35	C	STORMWATER MANAGEMENT PARTIAL PLAN 2
36	C	STORMWATER MANAGEMENT DETAILS 1
37	C	STORMWATER MANAGEMENT DETAILS 2
38	C	STORMWATER MANAGEMENT PIPE CULVERT PROFILES
39	C	SLUDGE LAGOON LINER PLAN
40	C	SLUDGE LAGOON LINER SECTION AND DETAILS
41	C	MISCELLANEOUS DETAILS 1
42	C	MISCELLANEOUS DETAILS 2
43	C	MISCELLANEOUS DETAILS 3
44	C	MISCELLANEOUS DETAILS 4
<u>ARCHITECTURAL</u>		
45	A	ARCHITECTURAL SCHEDULE AND DETAILS
46	A	BLOWER BUILDING PLANS & ISOMETRICS

47	A BLOWER BUILDING EXTERIOR ELEVATIONS AND BUILDING CODE SUMMARY
48	A BLOWER BUILDING EXTERIOR SECTIONS AND DETAILS
49	A RETURN SLUDGE BUILDING PLANS & ISOMETRICS
50	A RETURN SLUDGE BUILDING EXTERIOR ELEVATIONS AND BUILDING CODE SUMMARY
51	A RETURN SLUDGE BUILDING EXTERIOR SECTIONS AND DETAILS
52	A ELECTRICAL BUILDING PLANS & ISOMETRICS
53	A ELECTRICAL BUILDING EXTERIOR ELEVATIONS AND BUILDING CODE SUMMARY
54	A ELECTRICAL BUILDING EXTERIOR SECTIONS AND DETAILS
55	A MECHANICAL BUILDING MODIFICATIONS 1
56	A MECHANICAL BUILDING MODIFICATIONS 2
57	A SODIUM HYPOCHLORITE STORAGE AREA
58	A DOOR SCHEDULE AND DETAILS
59	A WINDOW SCHEDULE AND DETAILS
60	A ROOM FINISH SCHEDULE
61	A ARCHITECTURAL DETAILS
62	A STAIRS, RAILINGS, and LADDERS 1
63	A STAIRS, RAILINGS, and LADDERS 2

STRUCTURAL

64	S STRUCTURAL NOTES, ABBREVIATIONS, AND LEGEND
65	S STANDARD DETAILS 1
66	S STANDARD DETAILS 2
67	S STANDARD DETAILS 3
68	S STANDARD DETAILS 4
69	S HEADWORKS MODIFICATIONS 1
70	S HEADWORKS MODIFICATIONS 2
71	S HEADWORKS MODIFICATIONS 3
72	S AERATION TANKS 1-4 MODIFICATIONS
73	S AERATION TANKS 5-8 AND RDB 1
74	S AERATION TANKS 5-8 AND RDB 2
75	S AERATION TANKS 5-8 AND RDB 3
76	S AERATION TANKS 5-8 AND RDB 4
77	S CLARIFIERS AND CDB 1
78	S CLARIFIERS AND CDB 2
79	S CLARIFIERS AND CDB 3
80	S BLOWER BUILDING
81	S RETURN SLUDGE BUILDING
82	S FILTER 2 MODIFICATIONS
83	S FILTER 3 AND FPS 1
84	S FILTER 3 AND FPS 2
85	S FILTER 3 AND FPS 3
86	S CCT MODIFICATIONS 1
87	S CCT MODIFICATIONS 2
88	S HYPOCHLORITE MODIFICATIONS 1
89	S EFFLUENT PUMPING STATION 1
90	S EFFLUENT PUMPING STATION 2
91	S SLUDGE LAGOON AND SLUDGE BUILDING DETAILS
92	S ELECTRICAL BUILDING

MECHANICAL

93	M PROCESS FLOW SCHEMATIC
94	M HYDRAULIC PROFILES
95	M DESIGN CRITERIA
96	M AERATION AND CHEMICAL SCHEMATICS

97 M HEADWORKS BUILDING - DEMOLITION PLAN
98 M HEADWORKS BUILDING - DEMOLITION SECTIONS
99 M HEADWORKS BUILDING - MODIFICATION PLAN
100 M HEADWORKS BUILDING - MODIFICATION SECTIONS
101 M EAST/WEST SECONDARY TREATMENT TANKS - DEMOLITION PLAN AND SECTION
102 M EAST/WEST EQUALIZATION TANKS - PLAN AND SECTION
103 M AERATION TANKS NO. 1-4 - DEMOLITION PLAN
104 M AERATION TANKS NO. 1-4 - LOWER LEVEL MODIFICATION PLAN
105 M AERATION TANKS NO. 1-4 - UPPER LEVEL MODIFICATION PLAN
106 M AERATION TANKS NO. 1-4 - MODIFICATION SECTIONS
107 M AERATION TANKS NO. 5-8 - LOWER LEVEL MODIFICATION PLAN
108 M AERATION TANKS NO. 5-8 - UPPER LEVEL MODIFICATION PLAN
109 M AERATION TANKS NO. 5-8 - MODIFICATION SECTIONS
110 M CLARIFIER DISTRIBUTION BOX - PLAN, SECTIONS AND DETAILS
111 M CLARIFIERS - LOWER AND UPPER PLANS
112 M CLARIFIERS - SECTIONS AND DETAILS
113 M EFFLUENT FILTER NO. 2 - DEMOLITION PLAN AND SECTION
114 M EFFLUENT FILTER NO. 2 - MODIFICATION PLAN AND SECTION
115 M EFFLUENT FILTER NO. 3 - PLAN
116 M EFFLUENT FILTER NO. 3 - SECTION AND DETAILS
117 M CHLORINE CONTACT TANKS AND NPW SYSTEM - DEMOLITION PLAN AND SECTION
118 M CHLORINE CONTACT TANKS AND NPW SYSTEM - MODIFICATION PLAN AND SECTIONS
119 M EFFLUENT PUMPING STATION - MODIFICATION PLAN AND SECTION
120 M LAGOON DEMOLITION
121 M LAGOON MODIFICATIONS PLAN
122 M LAGOON MODIFICATIONS SECTION
123 M SLUDGE BUILDING - DEMOLITION PLAN AND SECTIONS
124 M SLUDGE BUILDING - DEMOLITION SECTIONS AND DETAILS
125 M SLUDGE BUILDING - MODIFICATION PLAN AND SECTIONS
126 M SLUDGE BUILDING - MODIFICATION SECTIONS AND DETAILS
127 M HYPOCHLORITE STORAGE AREA AND FEED BUILDING - DEMOLITION PLAN AND SECTIONS
128 M HYPOCHLORITE STORAGE AREA AND FEED BUILDING - MODIFICATION PLAN
129 M MECHANICAL BUILDING DEMOLITION PLAN
130 M MECHANICAL BUILDING ROOF DEMOLITION PLAN
131 M MECHANICAL BUILDING - MODIFICATION PLAN
132 M MECHANICAL BUILDING - ROOF MODIFICATION PLAN
133 M MECHANICAL BUILDING - PARTIAL PLAN AND SECTIONS
134 M BLOWER BUILDING 2 - PLAN AND SECTIONS
135 M RETURN SLUDGE BUILDING 2 - PLAN AND SECTIONS
136 M MISCELLANEOUS DETAILS 1
137 M MISCELLANEOUS DETAILS 2
138 M MISCELLANEOUS DETAILS 3
139 M BELOW GRADE VAULTS

HVAC

140 H HVAC SCHEDULE, NOTES
141 H MECHANICAL BUILDING MODIFICATIONS
142 H BLOWER BUILDING 2
143 H RETURN SLUDGE BUILDING 2
144 H SLUDGE BUILDING MODIFICATIONS
145 H ELECTRICAL BUILDING 2
146 H HVAC DETAILS 1
147 H HVAC DETAILS 2

PLUMBING

148	P PLUMBING SCHEDULE AND NOTES
149	P MECHANICAL BUILDING MODIFCATIONS
150	P RETURN SLUDGE BUILDING 2
151	P SLUDGE BUILDING MODIFICATIONS
152	P PLUMBING DETAILS

ELECTRICAL

153	E LEGEND, ABBREVIATIONS, AND SYMBOLS
154	E OVERALL ELECTRICAL SITE PLAN
155	E ELECTRICAL SITE DEMOLITION PLAN
156	E ELECTRICAL SITE PLAN 1
157	E ELECTRICAL SITE PLAN 2
158	E SITE LIGHTING PLAN 1
159	E SITE LIGHTING PLAN 2
160	E DUCT BANK SECTIONS AND CIRCUIT SCHEDULE 1
161	E DUCT BANK SECTIONS AND CIRCUIT SCHEDULE 2
162	E EXISTING POWER DISTRIBUTION ONE-LINE DIAGRAM
163	E POWER DISTRIBUTION ONE-LINE DIAGRAM
164	E MCC-MECHANICAL BUILDING MODIFICATIONS 1
165	E MCC-MECHANICAL BUILDING MODIFIATIONS 2
166	E MCC - BLOWER BUILDING 1 MODIFICATIONS
167	E MCC-BLOWER BUILDING 2 ONE LINE DIAGRAM AND ELEVATION
168	E MCC - RAS BUILDING 1 MODIFICATIONS
169	E MCC-RAS BUILDING 2 ONE LINE DIAGRAM AND ELEVATION
170	E MCC - ELECTRICAL BUILDING 1 MODIFICATIONS
171	E MCC-ELECTRICAL BUILDING 2 ONE LINE DIAGRAM AND ELEVATION
172	E MCC-SLUDGE BUILDING MODIFICATIONS
173	E HEADWORKS POWER AND CONTROL PLAN - UPPER
174	E HEADWORKS POWER AND CONTROL PLAN - LOWER
175	E HEADWORKS LIGHTING PLN
176	E MECHANICAL BUILDING POWER AND CONTROL PLAN 1
177	E MECHANICAL BUILDING POWER AND CONTROL PLAN 2
178	E MECHANICAL BUILDING AND HEADWORKS CONDUIT RISER DIAGRAM
179	E EXISTING AERATION TANKS POWER AND CONTROL PLAN
180	E NEW AERATION TANKS POWER AND CONTROL PLAN
181	E NEW AERATION TANKS LIGHTING PLAN
182	E BLOWER BUILDING 1 MODIFICATIONS POWER AND CONTROL PLAN
183	E BLOWER BUILDING 2 POWER AND CONTROL PLAN
184	E BLOWER BUILDING 2 LIGHTING PLAN
185	E AERATION TANKS AND BLOWER BUILDING CONDUIT RISER DIAGRAM
186	E NEW CLARIFIERS POWER AND CONTROL PLAN
187	E RAS BUILDING 2 POWER AND CONTROL PLAN
188	E CLARIFIERS AND RAS PS CONDUIT RISER DIAGRAM
189	E EFFLUENT FILTERS POWER AND CONTROL PLAN
190	E EFFLUENT FILTERS AND PUMP STATION LIGHTING PLAN
191	E EFFLUENT FILTERS AND PUMP STATION CONDUIT RISER DIAGRAM
192	E CCT POWER AND CONTROL PLAN
193	E HYPO BUILDING AND STORAGE POWER AND CONTROL PLAN
194	E CCT AND HYPO STORAGE CONDUIT RISER DIAGRAM
195	E EFFLUENT PUMP STATION POWER AND CONTROL PLAN
196	E EFFLUENT PUMP STATION LIGHTING PLAN
197	E EFFLUENT PUMP STATION CONDUIT RISER DIAGRAM
198	E SLUDGE LAGOONS POWER AND CONTROL PLAN

199	E SLUDGE BUILDING POWER AND CONTROL PLAN
200	E SLUDGE BUILDING LIGHTING PLAN
201	E SLUDGE CONDUIT RISER DIAGRAM
202	E PANELBORAD SCHEDULES 1
203	E PANELBORAD SCHEDULES 2
204	E PANELBORAD SCHEDULES 3
205	E EMERGENCY GENERATOR POWER AND CONTROL PLAN
206	E LIGHTING SCHEDULE
207	E PROCESS CONTROL SCHEMATIC - EXISTING
208	E PROCESS CONTROL SCHEMATIC
209	E PROCESS CONTROL ELEVATIONS
210	E PROCESS CONTROL ELEMETARIES 1
211	E PROCESS CONTROL ELEMETARIES 2
212	E PROCESS CONTROL ELEMETARIES 3
213	E PROCESS CONTROL ELEMETARIES 4
214	E PROCESS CONTROL ELEMETARIES 5
215	E PROCESS CONTROL ELEMETARIES 6
216	E HVAC ELEMETARIES
217	E UNDERGROUND DISTRIBUTION DETAILS
218	E ELECTRICAL DETAILS 1
219	E ELECTRICAL DETAILS 2
220	E ELECTRICAL DETAILS 3
221	E GROUNDING DETAILS
222	E INSTRUMENTATION MOUNTING DETAILS 1
223	E INSTRUMENTATION MOUNTING DETAILS 2

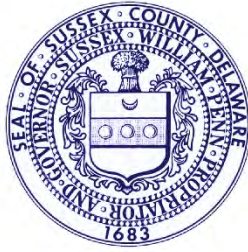
GHD Inc.
Hourly Direct Rate Ranges By Classification
Effective July 1, 2017

Personnel Category	Hourly Rate (\$/Hr)	
	Minimum	Maximum
Principal	72.00	78.00
Associate	58.00	70.00
Senior Engineer	50.00	70.00
Project Manager	45.00	56.00
Project Engineer	38.00	48.00
Engineer	25.00	36.00
Managing Designer	45.00	50.00
Senior Designer	30.00	35.00
Designer	24.00	30.00
Drafter	20.00	25.00
Senior Rep	30.00	42.00
Project Rep	24.00	30.00
Administrative Assistant	22.00	25.00

Rates are subject to annual adjustment
Rates do not include overhead and profit

ENGINEERING DEPARTMENT

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



Sussex County

DELAWARE

sussexcountyde.gov

HANS M. MEDLARZ, P.E.
COUNTY ENGINEER

JOSEPH WRIGHT, P.E.
ASSISTANT COUNTY ENGINEER

Memorandum

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

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

RE: *Western Sussex Area Expansion of the Unified Sewer District Fact Sheet*

DATE: August 22, 2017

The Town of Bridgeville currently owns and operates a sanitary sewer system for the Bridgeville/Greenwood service area. In May of 2016, the Commissioners of Bridgeville signed the Administrative Order of Consent with the US EPA mandating system improvements on tight timelines estimated at \$15.85 million. Due to the significant rate impact, the Town Commissioners delayed the associated referendum on the borrowing. In order to move the issue forward, the municipal councils of Bridgeville and Greenwood requested Sussex County to investigate an alternate scenario in February of 2017.

Sussex County Engineering Department, in conjunction with the respective municipal engineering consultants, developed an alternate scenario for a Western Sussex County Sewer District connecting to the City of Seaford estimated at a project cost of \$12.68 million. The alternate scenario, if submitted to DNREC for funding, would rank very high based on Clean Water State Revolving Fund (CWSRF) project evaluation criteria and USDA/RD (Federal) and CWSRF (State) funding has been pledged towards the alternate solution in an equal or better grant/loan ratio than the stand-alone solution. Estimated annual household cost under the alternate scenario is estimated at \$561/year per EDU.

The City of Seaford's Council has agreed in principle to the outlined arrangement including a full buy-in for the existing municipal systems as they exist today, including any remaining legacy obligations conditioned upon the nutrient load allocation transfer under the Chesapeake TMDL. We have initiated this load transfer request, and it is supported by the State and EPA. Once the expansion is approved, the Engineering Department will start working on an agreement between Sussex County and the City of Seaford like the one in place on behalf of



the Blades Sewer District Area, allowing for capacity set asides and additional capacity purchases/sales based on need. In addition, Sussex County would assume all municipal sewer related assets, liabilities and legacy obligations after district expansion.

Both municipal Councils have requested formation of a County sewer district pursuant to Title 9 Del. Code § 6501. The Assistant County Attorney has prepared the required Resolution and the Engineering Department recommends adoption.

If adopted the Engineering Department will submit a Preliminary Engineering Report, Environment Assessment and a Planning Advance funding request to the State CWSRF. The Preliminary Engineering Report will develop a detailed cost estimate based on the proposed initial boundary and identify expansion possibilities in the currently unserved areas for an even better economy of scale. The creation of a Western Sussex Sewer District Area does not change the underlying land use. The municipal and County Comprehensive Plans, in particular, the annexation areas remain in effect. All municipalities have discussed this issue and are in agreement.

RESOLUTION NO. R _____

A RESOLUTION TO ESTABLISH THE WESTERN SUSSEX AREA OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT UNDER THE PROVISIONS OF TITLE 9 OF THE DELAWARE CODE

WHEREAS, the Commissioners of the Town of Bridgeville have passed a Resolution and the Greenwood Town Council have approved a motion requesting Sussex County to create a sanitary sewer district in accordance with Delaware Code, Title 9 to serve all properties currently served by their respective municipal sanitary sewer systems; and

WHEREAS, Title 9, Delaware Code, Section 6501 states the following: “[w]henver contiguous territory containing 1 or more centers of population, whether incorporated or not, shall be so situated that the construction of interceptor sewers, outfall sewers and sewage treatment plants will be conducive to the preservation of public health, the territory shall be established by the government of Sussex County as a sanitary sewer district;” and

WHEREAS, Sussex County, pursuant to the above provisions and as further supported by its authority under 9 Del. C. §7001, wishes to establish the Western Sussex Area of the Unified Sanitary Sewer District as set forth herein.

NOW, THEREFORE,

BE IT RESOLVED that the County Council of Sussex County, Delaware hereby determines that the Western Sussex Area of the Sussex County Unified Sanitary Sewer District shall be established as a sanitary sewer district and the description of the Western Sussex Area is as shown on the map submitted as Exhibit “A”; and that the said district is hereby declared to be validly constituted under the provisions of Title 9 of the Delaware Code.

BE IT FURTHER RESOLVED that the Town of Greenwood and the Town of Bridgeville have further agreed to adopt by ordinance specific consent for Sussex County to operate and maintain the sanitary sewer system within their town limits.

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 rights-of-way by purchase, agreement or condemnation in accordance with the existing statutes.

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

BE IT FURTHER RESOLVED that the Sussex County Council directs the County Finance Director and County Engineer to apply for, accept, and receive grants, loans, and other funding necessary to provide adequate financing for the planning, design, construction, and all other phases of the sanitary sewer district.

TOWN OF BRIDGEVILLE

If you lived here, you'd be home now.

August 15, 2017

Hans Medlarz
Sussex County Engineer
Sussex County Administrative Office
2 The Circle, 3rd Floor
PO Box 589
Georgetown, Delaware 19947

RE: Bridgeville Wastewater Treatment

Dear Hans,

Pursuant to the authority given to me by the Commissioners of Bridgeville in Resolution No. 17-9, please accept this letter as the petition of the Town of Bridgeville for the formation of a Sussex County Sanitary Sewer District to include all properties served by our municipal sanitary sewer system.

Thank you in advance for your consideration of this petition.

Sincerely,

COMMISSIONERS OF BRIDGEVILLE



Jesse Savage
Town Manager

/js



**A RESOLUTION TO AUTHORIZE THE TOWN MANAGER
TO PETITION SUSSEX COUNTY TO ESTABLISH A
SANITARY SEWER DISTRICT AND TO ENTER INTO A CONTRACT
FOR THE COUNTY TO OPERATE THE BRIDGEVILLE SEWERAGE SYSTEM**

RESOLUTION NO. R17-9

WHEREAS, the Town of Bridgeville owns and operates a wastewater collection, treatment, and disposal system, collectively called the Bridgeville Wastewater System; and

WHEREAS, the Bridgeville Wastewater System provides wastewater collection, treatment and disposal the Towns of Bridgeville and Greenwood; and

WHEREAS, the Commissioners of Bridgeville are of the opinion that the obligations of continued compliance with the environmental requirements of the United States EPA and DNREC and the costs of operation, maintenance, replacement and repair of the existing wastewater collection, treatment, and disposal system to the citizens of the Town of Bridgeville and the system's users are better served by the formation of a Sussex County sanitary sewer district to include all of the Town of Bridgeville and adjacent areas connected to the system; and

WHEREAS, the Commissioners of the Town of Bridgeville find it desirable to petition the Sussex County Council to establish a sanitary sewer district and to enter into an agreement for the operation of the Bridgeville Wastewater System in order to promote the health, safety, and welfare of the inhabitants of the Town of Bridgeville and of all properties connected to it.

NOW THEREFORE, BE IT RESOLVED, by the Commissioners of Bridgeville approve of submitting petition to the Sussex County Council for the formation of a Sussex County sewer district and to enter into an agreement for the operation of the Bridgeville Wastewater System; and

AND, BE IT FURTHER RESOLVED, the Town Manager is hereby authorized to petition for the formation of a Sussex County sewer district, to enter into an agreement for the operation of the Bridgeville Wastewater System, and to execute and deliver all documents reasonably required or otherwise necessary, appropriate or advisable, in connection with the above-referenced petition.

ADOPTED by the Commissioners of Bridgeville, Delaware this 14th day of August, 2017.



{Seal}

COMMISSIONERS OF BRIDGEVILLE

By: Patricia M. Corbett
President

Attest: Laura Cassano
Secretary

Town of Greenwood
Minutes
Regular Monthly Council Meeting
Tuesday, July 5, 2017

Call to order

Mayor Donald Donovan called the meeting to order at 7:30 pm.

Councilors Present

Donald Donovan, Willard Russell, Dustin Yoder, Donald Torbert and Mike Moran

Officials Present

Town Manager John McDonnell, Police Chief Brent Raughley

Citizens & Visitors –

Approval of Minutes

Moved by Vice-Mayor Russell, Seconded by Councilor Yoder to approve Regular minutes of the June 06, 2017 Town Council meeting as presented. CARRIED
Moved by Vice-Mayor Russell, Seconded by Councilor Yoder to approve Executive minutes of the June 06, 2017 Town Council meeting as presented. CARRIED

Citizen's Privilege

N/A

Town Managers Report

Town Manager's report was discussed.

Engineer Updates

Beacon Engineering Report - None

Police –

1. Verbal Report – Presented by Chief Raughley

New Business

1. Western Sussex County Regional Wastewater – Moved by Vice-Mayor Russell, Seconded by Councilor Moran to request Sussex County to establish a sewer district in

accordance with Delaware Code Title 9 Section 6501 establishment of sanitary sewer or water district, paragraph a. CARRIED

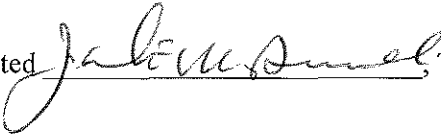
Old Business –

1. 111 North First Street – Mayor stated offer of \$3000. Councilor Yoder made motion for property to be public bid. No second. Vice-Mayor Russell mentioned a reserve, but no motion. A seated Councilor then wanted to make a bid. Council then had conflict of interest concerns about accepting an offer from a seated Councilor with knowledge of received bid. Councilor Moran then made a motion to accept offer of \$3000. No second. Councilor Moran then made a motion to table item based on Attorney review, seconded by Councilor Torbert. CARRIED

Adjournment to Executive Session – N/A

Actions requiring approval from Executive Session- N/A

Adjournment – Moved by Councilor Moran, Seconded by Vice-Mayor Russell to adjourn the meeting at 8:00 pm. CARRIED

Attested  Town Manager



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Rehoboth Summer Children's Theatre

PROJECT NAME: Summer Seasons 2017-2018

FEDERAL TAX ID: 59-0292158 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: The Rehoboth Summer Children's provides programs of enrichment, education and entertainment for family members of all ages. We are dedicate to providing excellent artistic performances and classes at reasonable fees and in some cases free.

ADDRESS: PO Box 871

Rehoboth Beach DE 19971
(CITY) (STATE) (ZIP)

CONTACT PERSON: Steven Seyfried

TITLE: Managing Director

PHONE: 302-227-6766 EMAIL: rehobothchildrenstheatre.org

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? _____

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? 1 %

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY NUMBER

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

2200

SECTION 3: PROGRAM SCOPE

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

The Rehoboth Summer Children's Theatre conducts a nine week season of theatrical productions designed for children and families and theatre and film camps for children. 2017 is our 36th season with activities from June 27 to August 25. These activities include:

1) Mainstage performances at the Epworth Methodist Church in Rehoboth Beach. The 2017 season features three shows: Peter Pan, Jack and the Beanstalk and Toad's Escape. Tickets are \$10. Children under 3 are free. We have even lower ticket prices for groups attending such as the Boys and Girls Club of Milford.

2) The outreach tour will bring free performances of Toad's Escape into these Sussex County Libraries: Lewes, Milford, Milton, Selbyville Frankford, Bridgeville, Seaford, Greenwood and Rehoboth. This allows us to bring live professional theatre into every corner of the county.

3) Theatre and film camps for ages 5-14 are conducted at the Epworth Methodist Church.

4) A special one week theatre camp for ages 7-12 takes place in Georgetown in partnership with the First State Community Action Agency. This program is free to children who participate.

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 5: STATEMENT OF ASSURANCES (continued)

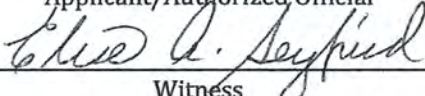
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
- 5) All funding will benefit only Sussex County residents.
- 6) All documents submitted by the applicant are defined as public documents and available for review under the Freedom 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

08/01/2017

Date



Witness

08/01/2017

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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.

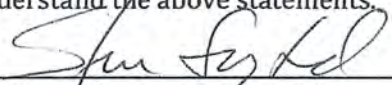
For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

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.

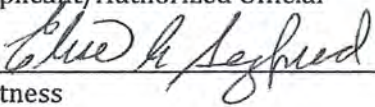
Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used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

MANAGING DIRECTOR
Title


Witness

08/01/2017
Date

*Cole
8-01-17*

Nancy Cordrey

From: Gina Jennings
Sent: Friday, August 11, 2017 10:25 AM
To: Nancy Cordrey; Robin Griffith
Subject: Grant Application Grace N Mercy

From: Dorey Cole [mailto:dcole@mooreandrutt.com]
Sent: Thursday, August 10, 2017 10:25 AM
To: Gina Jennings <gjennings@sussexcountyde.gov>
Subject: Grant Application Grace N Mercy

Good morning, Gina: I reviewed the attachments and do not see any indication that the new camp program involves religious or faith-based speeches, lessons, etc. The documentation indicates that the program is secular and does not advance or inhibit a particular religion. Also, since Grace-n-Mercy have signed off on the grant application certification, I assume that they do not hold any other religious activities in connection with the camp that were excluded on the forms. Therefore, I think that we can send their request through to Council for consideration.

Thank you for your assistance.

Regards,
Dorey



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Grace -N- Mercy
PROJECT NAME: Grace -N- Mercy Summer Youth Camp
FEDERAL TAX ID: 38-3655598 NON-PROFIT: YES NO

DOES YOUR ORGANIZATION OR ITS PARENT ORGANIZATION HAVE A RELIGIOUS AFFILIATION?

YES NO

*IF YES, FILL OUT SECTION 3B. *See attached*

ORGANIZATION'S MISSION: Our ultimate goal is to mentor these children as they get older and life happens. We want them to know they have options and to always choose the high road. Over the last five years, there has been a 1,854 percent increase in herion-related criminal charges, according to data from the Delaware NAtional Guard Counterdrug Task Force.

ADDRESS: PO Box 70

Greenwood Delaware 19960
(CITY) (STATE) (ZIP)

CONTACT PERSON: Joyce Mizzelle
TITLE: Director
PHONE: 302-249-5400 EMAIL: jmizzelle@aol.com

TOTAL FUNDING REQUEST: \$4,000.00

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

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

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

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

If YES, approximately what percentage of the project's funding does the Council grant represent? 50%

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

45

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.

In 2003, we observed the lack of youth programs available to low- moderate income families in Greenwood, Delaware. On further investigation, we found that the problem was not unique to Greenwood; most cities/towns in Sussex County also suffered from the same issue. Sadly, the problem persists in 2017, as there are few summer programs available to children of low- moderate income parents. The few programs that are available have openings tat fill quickly and sometimes have fees that many families cannot afford. Due to the county's growth, one can surmise that along with the population growth, the need for summer camp programs will also increase.

Our current camp attendee's live in the following cities: Delmar, Laurel, Seaford, Blades, Bridgeville, Greenwood, Milford and Lincoln.

We hve structured our program that the children are able to participate in activities they have never experienced. On Monday's, we have presenters from the University of Delaware 4H Extension. Every Tuesday, the travel to Dover to watch an age appropriate movie at the AMC Theatre. Every Wednesday, we travel to Killen's Pond to the waterpark. On Thursday's, there are different activities each week including the fire department, state police, and Spatulearn (Chef). We use Monday, Thursday and some Friday's to teach social skills through playing games. Our older counselors will play basketball and kickball games with the campers. During this time, they are able to demonstrate what using good sportsmanship qualities look like.

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	2,600.00
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)	
Fuel for 2 Vans (Van #1 (Millford, Lincoln, Greenwood) Van #2 (Bridgeville, Seaford, Blades, Laurel & Delmar)	\$ 1,800.00
Breakfast/Lunch	\$ 1,880.00
Cleaning Supplies/	\$ 440.00
Cape May Ferry/Cape MAY Zoo	\$ 430.00
Killen's Pond Pool Entry	\$ 1,100.00
Sports Equipment (Basketball Court/Balls)	\$ 350.00
Equipment (paper ink cartridges, pencils, crayons, colored pencils, marker, etc.)	\$ 450.00
AMC Theatre (Every Tuesday)	\$ 910.00
TOTAL EXPENDITURES	\$ 7,360.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 9,960.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Grace -N- Mercy 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.**

Joyce Mizzelle
Applicant/Authorized Official

7/25/2017
Date

Tonkia Showell
Witness

7/25/2017
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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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.

Joyce Mizzelle
Applicant/Authorized Official

Director
Title

Tonkia Showell
Witness

7/25/2017
Date

Wilson
8/16/17

Summer Youth Camp Schedule
 Monday, June 19, 2017 to Friday, August 4, 2017
 10am to 4pm



TIME	ACTIVITY
10am	Campers Arrive
10am to 10:30am	Breakfast Served
10:30 to 11:30pm	Monday: Speaker Tuesday: Movie Day (Depart) Wednesday: Killen's Pond (Depart) Thursday: Speaker Friday: Museum/Zoo (Depart)
11:30am to 12pm	Structured Play (RECESS)
12pm to 1:30pm	LUNCH
1:30pm to 2:30pm	Social Skills Lesson
2:30pm to 2:45pm	Team Activity
2:45pm to 3:45pm	Snack
3:45pm to 4pm	Dismissal

The Botvin LifeSkills Training Program (LST) is FREE for Delaware students 8-14 years old. This comprehensive and exciting program provides adolescents and young teens with the confidence and skills necessary to successfully handle challenging situations. Developed by Dr. Gilbert J. Botvin, a leading prevention expert, LST is backed by over 30 scientific studies and is recognized as a Model or Exemplary program by an array of government agencies including the U.S. Department of Education and the Center for Substance Abuse Prevention. Each student is required to take an anonymous Pre-Assessment Survey and Post-Assessment Survey. Students will also receive celebration gifts at the completion of the program. Below is some information about the topics that are covered.

Elementary (3rd-6th)

The elementary curriculum consists of 8 lessons about 30-45mins.

The elementary topics cover:

- Self-Esteem
- Decision Making
- Smoking Information
- Advertising
- Dealing with Stress
- Communication Skills
- Social Skills
- Assertiveness

Middle School (7th-9th)

The middle curriculum consists of 13 lessons about 45mins to 1hour.

The middle school topics cover:

- Self-Image
- Making Decisions
- Smoking Information
- Alcohol Information
- Marijuana Information
- Advertising
- Violence & the Media
- Coping with Anxiety
- Coping with Anger
- Communication
- Social Skills
- Assertiveness
- Resolving Conflicts

Lindsay Hughes

Extension Educator, 4-H

Carvel Research & Education Center

16483 County Seat Highway

Georgetown, DE 19947

[302-856-2585](tel:302-856-2585) ext 523

[302-856-1845](tel:302-856-1845) fax

June 2017

Monday	Tuesday	Wednesday	Thursday	Friday
			1	2
5	6	7	8	9
12	13	14	15	16
19 Camp Begins	20 AMC Theatre Dover, Delaware	21 Killen's Pond Felton, Delaware	22 Delaware State Police	23 Ward's Museum Salisbury, Maryland
26 4H Speaker /LifeSkills Lindsay Hughes	27 AMC Theatre Dover, Delaware	28 Killen's Pond Felton, Delaware	29 4H Speaker /LifeSkills Lindsay Hughes	30 Salisbury Zoo Salisbury, Maryland

July

SUMMER YOUTH CAMP

2017

Title		Subtitle				
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 ERNEST HUDSON SPATULEARN	4 AMC THEATRE DOVER, DELAWARE	5 KILLEN'S POND FELTON, DELAWARE	6 4H SPEAKER LINDSAY HUGHES	7 BROWN'S PARK BBQ FAMILY DAY	8
9	10 4H SPEAKER LINDSAY HUGHES	11 AMC THEATRE DOVER, DELAWARE	12 KILLEN'S POND FELTON, DELAWARE	13 4H SPEAKER LINDSAY HUGHES	14 ZWAANENDAEL MUSEUM LEWES, DELAWARE	15
16	17 ERNEST HUDSON SPATULEARN	18 AMC THEATRE DOVER, DELAWARE	19 KILLEN'S POND FELTON, DELAWARE	20 ERNEST HUDSON SPATULEARN	21 ACTIVITY DAY KICKBALL/BASKETBALL	22
23	24 CAMP CLOSED	25	26	27	28	29
30	31					



AUG 2017

SUMMER YOUTH CAMP

SUN	MON	TUE	WED	THU	FRI	SAT
		01 AMC Theatre Dover, Delaware	02 Cape Henlopen State Park Lewes, Delaware	03 Funland Rehobeth, Delaware	04 Last Day of Camp Awards Program Party	05
06	07	08	09	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

ENJOY THE REST OF YOUR SUMMER! BE SAFE AND SEE YOU NEXT YEAR!



SUSSEX COUNTY GOVERNMENT
GRANT APPLICATION

Delaware State University
SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: D.S.U. Sussex County Chapter.

PROJECT NAME: Dsu Marching Band To Rehoboth

FEDERAL (TAX ID): 23-7009665 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:

ADDRESS: P.O. Box 179

Lewes Del. 19958
(CITY) (STATE) (ZIP)

CONTACT PERSON: Elizabeth Allen

TITLE: Treasurer

PHONE: 302-236-4078 EMAIL: Elizabeth.Allen@cape.k12.De.us
4078

TOTAL FUNDING REQUEST: \$2,697.00

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

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

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

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

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

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

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

SECTION 3: PROGRAM SCOPE

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

To help bus the D. S. U. Band
from Dover to Rehoboth to play
at the Band stand Sept. 3, 2017.
Using Jor-lin Tour + Charter Buses
Milford, Del. 19963

Phone: 302-424-4445

Fax: 302 424 - 4447

Order Number: 17777

3 Buses - DelState Marching Band

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)	
3 buses	2,697.00
TOTAL EXPENDITURES	\$ 0.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	\$ 0.00

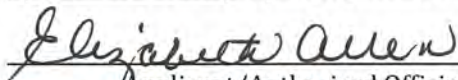
SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the DS.V. Sussex County Chapter agrees that:
(Name of Organization)

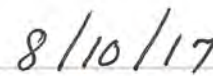
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. 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.**



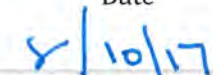
Applicant/Authorized Official



Date



Witness



Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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



AB

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

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

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

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

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

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

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

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

Elizabeth Allen
Applicant/Authorized Official

Tres
Title

[Signature]
Witness

8/10/17
Date

Cole
8-15-17



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: Nanticoke Indian Association

PROJECT NAME: 40th Nanticoke Indian Powwow

FEDERAL TAX ID: 51-0261316 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: Expose the community to the history and culture of the Nanticoke Indians

ADDRESS: 27073 John J William Hwy

Millsboro DE 19966
(CITY) (STATE) (ZIP)

CONTACT PERSON: Kayleigh Vickers

TITLE: Powwow Chair

PHONE: 302-945-3400 EMAIL: info@nanticokeindians.org

TOTAL FUNDING REQUEST: 2,500.00

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? _____

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

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

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

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|--|--|--|
| <input type="checkbox"/> Fair Housing | <input type="checkbox"/> Health and Human Services | <input checked="" type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure ¹ | <input type="checkbox"/> Other | <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 Community and surrounding areas | |

BENEFICIARY NUMBER

Approximately the total number of Sussex County Beneficiaries served annually by this program:
10,000+/-

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.

One of the best things about the powwow is the air of happiness and joy in renewing old friendships and seeing relatives for the first time since last year. Another important feature is the returning visits by the 40 American Indian vendors whose family members also join the dance circle during Powwow weekend. People are polite and considerate of each other and our children and elders are given special consideration and attention. That's the "Native Way".

Visitors, guests, and tourists from throughout the United States, Canada, and several foreign countries attend the Powwow each year. We extend a special invitation to residents of the Greater Millsboro area to make a special effort to attend this year. Upon arrival in the designated parking lot, you will be shuttled to the powwow grounds where you will experience a very different atmosphere in a wooded area, the personal property of a tribal member.

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	20,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
	-\$ 45,000.00
TOTAL EXPENDITURES	-\$ 45,000.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 25,000.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Nanticoke Indian Association agrees that:
(Name of Organization)

- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application. All accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.
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SECTION 5: STATEMENT OF ASSURANCES (continued)

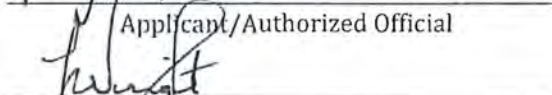
- 4) All information and statements in this application are accurate and complete to the best of my information and belief.
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- 7) All funding will be used exclusively for secular purposes, i.e., non-religious purposes and shall not be used to advance or inhibit religious purposes.
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Applicant/Authorized Official

08/4/2017

Date



Witness

8/4/2017

Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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



Applicant/Authorized Official



Witness

Pow-wow Chair

Title

8/4/2017

Date

*Arlett
8-08-17*



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: West Rehoboth Community Land Trust Inc.
 PROJECT NAME: Renovation of rental units, maintenance of lot for Habitat home, and resident home improvements.
 FEDERAL TAX ID: EID 20-2477568 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 create permanent affordable housing to preserve the west Rehoboth Community to work with community residents to revitalize this housing historic community. To foster the principles of fair housing and advise a diverse community.

ADDRESS: PO Box 633
Rehoboth Beach DE 19971
(CITY) (STATE) (ZIP)

CONTACT PERSON: Beth Doty
 TITLE: President
 PHONE: 302-260-9514 EMAIL: bethdoty42@gmail.com

TOTAL FUNDING REQUEST: \$5,000

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? 23%

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 <i>maintenance of lot of rental and resident home improvements of housing in WOR.</i> | <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 checked="" type="checkbox"/> Low to Moderate Income ² | <input type="checkbox"/> Youth |
| <input type="checkbox"/> Minority | <input type="checkbox"/> Other _____ | |

BENEFICIARY NUMBER

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

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.

Funds will be used to address issues of maintenance on lots owned by the Land Trust as we clear + maintain our newest acquisition for partnership with Sussex Habitat to build a house for home ownership, housing renovation of rental units 3/ resident housing assistance for new and used mobile homes.

West Rehoboth is one of several low income, ^{impacted} communities identified in the recent Community Development and Housing 2016 Survey (p. 120). 95% of this community is African American. 96% have incomes under 80% of Sussex County's median income.

Our focus is to improve housing, preserve the community, assuring decent and affordable housing. Purchase of lots and building homes will allow this community to remain affordable in the future.

B. ^{NA} 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 *see attached*

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)	
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 West Rehoboth Community Land Trust 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.**

Elizabeth D Doty
Applicant/Authorized Official

Eleanor Whaley
Witness

8/3/17
Date

8/4/17
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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

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

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

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

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

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

Elizabeth J. Doty
Applicant/Authorized Official

Gleanor Whaley
Witness

Pres. West Rehoboth Community
Title Land Trust Inc.

8/3/17
Date

Cole
8-15-17

West Rehoboth Community Land Trust, Inc.
Post Office Box 633
Rehoboth Beach, Delaware 19971

Project Budget 2017/2018

Income:

\$10,000 Individual community donations

\$10,000 corporate and foundations

\$5,000 Sussex County Council Grant

Total:

\$25,000

Expenditures:

-\$2,000 maintenance of land in partnership with Sussex Habitat home build (mowing, stump removal, trash removal etc.)

-\$10,000 Assist residents with housing needs (repairs to mobile home etc.)

-\$12,000 housing rehab of WRCLT rental units (appliances, structure repairs, pest removal)

Total:

-\$25,000



SUSSEX COUNTY GOVERNMENT

GRANT APPLICATION

SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: La Esperanza, Inc

PROJECT NAME: _____

FEDERAL TAX ID: 31-1606956 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: The mission of La Esperanza Inc. is to integrate Latino Individuals and their families into the community through advocacy, education and support services.

ADDRESS: 216 N. Race Street

Georgetown DE 19943
(CITY) (STATE) (ZIP)

CONTACT PERSON: Rosalia Velazquez

TITLE: Executive Director

PHONE: 302-854-9262 EMAIL: rvelazquez@laesperanza.org

TOTAL FUNDING REQUEST: 10,000

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

If YES, how much was received in the last 12 months? 2,500

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

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

If YES, approximately what percentage of the project's funding does the Council grant represent? < 1%

SECTION 2: PROGRAM DESCRIPTION

PROGRAM CATEGORY (choose all that apply)

- | | | |
|--|---|--------------------------------------|
| <input type="checkbox"/> Fair Housing | <input checked="" type="checkbox"/> Health and Human Services | <input type="checkbox"/> Cultural |
| <input type="checkbox"/> Infrastructure ¹ | <input checked="" type="checkbox"/> Other Immigration, Victims, Youth | <input type="checkbox"/> Educational |

BENEFICIARY CATEGORY

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

BENEFICIARY NUMBER

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

2,600

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 intended to sponsor an event for our founders, Sisters Ascension, Maria and Rosa. The three Carmelite Sisters are the founders of La Esperanza, Inc. They have lived in Georgetown for more than 20 years, and in this time, have served 10's of thousand Latinos. The Sisters will be retiring in September of 2017 and moving to Washington D.C. On August 19, 2017 La Esperanza Inc will be hosting a community celebration to honor the Sisters. As part of the celebration, we are seeking sponsorship for the event to both cover the costs of the event and to launch a new fundraising effort called the Sisters Fund. Donations raised via the Sisters Fund will be used to cover the event costs and all additional funds will be applied toward our programs, specifically our Family Empowerment efforts which cross all programs (immigration, victims, youth, support services).

Family Empowerment -

The Need - The continued growth of the Latino community in Sussex County is placing an increased demand for La Esperanza services and programs. Our Latino clients come to La Esperanza with a broad range of needs. The requests for services has shifted this year based on the political climate. In February, we were inundated with requests for guardianship letters, from parents who were worried that they would be deported and wanted to secure their children's future. We have also seen an increase in requests for VISA's, for American born children. Some clients simply have a question to be answered, or directions to be provided. Other clients have significantly more complex issues that require concentrated staff support and services. Issues range from the need to have documents interpreted and/or translated, to support and counseling for victims (and their children) of domestic violence and sexual assault, to an individual seeking to advance their citizenship status. Our program staff are bi-lingual and bi-cultural, and provide culturally and linguistically appropriate services. In 2016 we served more than 2,600 unique individuals. For 2017 we will approach 3,000 individuals served. Due to the demand in services, in the past year we have expanded our Immigration and Victims program. In 2018, we are hoping to expand our youth program. This funding request will cover across all programs under the umbrella of Family Empowerment.

According to the US census, the Latino population in Sussex County is:

HISPANIC OR LATINO
 Total population (Sussex County) - 197,145 100.0
 Hispanic or Latino (of any race) - 16,954/8.6 %
 Mexican - 7,166/3.6%
 Puerto Rican - 2,073 1.1
 Cuban - 199/0.1 %
 Other Hispanic or Latino [2] - 7,498/3.8 (the other category is primarily Guatemalan)

All of our programs, in one capacity or another fall under Family Empowerment. Our programs include: Immigration, Victims Services, Advocacy and Support Services, Prenatal and Youth Services. When a client enters La Esperanza, they can start off by simply asking a question on a specific matter. Though experience and education, our staff are able to determine if the client is in need of more specialized services (immigration and/or victims) and clients can often be served by multiple services at one time.

La Esperanza was founded in 1996, primarily to provide support to the increasing number of immigrant workers arriving in Sussex County from Mexico and Guatemala. Since then we have evolved into a multi-service support organization that assists with the assimilation of Latinos into the broader Sussex County population. We seek to enrich our communities by welcoming cultural diversity and by providing services of value.

We help our clients advance toward assimilation, self-sufficiency, permanent residency and citizenship by providing culturally and linguistically appropriate programs and services, including advocacy, family development, immigration services, victim's services for victims of domestic violence and/or sexual assault, prenatal services, youth program. In addition we provide interpretation and translation and information and referral services. Our programs help our clients gain access to emergency services, housing, employment, legal advocacy and services, and youth programs. We also provide translation and interpretation, referrals, and accompaniment to public agencies, medical providers, social service agencies, court hearings, legal appointments, and youth activities. We also conduct outreach into the local communities to establish partnerships between businesses and Hispanic residents. From our efforts, we learn about the obstacles faced by Hispanic adults, children and families and respond by strengthening and expanding our programs and services to alleviate those barriers.

Our mission is to integrate Latino individuals and their families into the community through advocacy, education and support services. Our clients are interested in finding solutions to the barriers in their lives...barriers which limit them in employment, housing, etc. Mostly, our adult clients are interested in employment, and will often take on labor intensive low paying jobs in order to support their families.

Hispanic immigrants in Sussex County are faced with multiple socioeconomic, environmental and cultural factors that increase vulnerability for violence and related problems. Economic insecurity, poverty resulting in families living in deprived neighborhoods, discrimination, language and cultural barriers, experiences of inequality, levels of acculturation, and a pervasive sense of powerlessness are among the many factors that increase family stress. In 2016, La Esperanza has provided services to more than 2,600 unique individual clients and we expect to serve more than 3,000 clients for 2017. La Esperanza's offices are centrally located in Sussex County and in the heart of the Latino immigrant community in Georgetown, Delaware. This makes us easily accessible to our clients as well as the broader Georgetown Hispanic community. In our early days, 100% of our clients were from Georgetown but in recent years our client base has spread throughout the county. In 2017, we opened our first satellite office in Seaford.

La Esperanza is the organization known in Delaware as the place that empowers, educates, and advocates for Latino's residing in Sussex County. Our goal is to identify and develop individuals within the Latino community, and forge partnerships with individuals, organizations, and agencies that can make a significant, positive, impact in the community. Many of our programs are grant funded, which require strict adherence to program measurement and producing valid outcomes that make a difference in peoples lives. Much of our work is centered on education and advocacy. For example, in the past year we have held more than 25 community information sessions throughout the county, to inform immigrants of their rights. We also work with victims of domestic violence, to provide them with resources to navigate and abusive relationship and in some cases, to develop a safety plan for themselves and their children. In our youth program, we provide young people with activities to engage them in learning. We have invited speakers on topics such as "teen dating violence" and "bullying". Our immigration program provides a broad range of services on the citizenship spectrum from work authorizations, visas, to full citizenship. La Esperanza services have an important and significant impact on our Sussex County community. We greatly appreciate your consideration on this funding request and value your support.

Included with this submission is a copy of our 2015 audit and the draft for our 2016 audit. We will provide a copy of the final 2016 audit when it is received. Please feel free to contact Rosalia Valázquez @ 302-854-9262 or rvalazquez@laesperanza.org if you have any questions or require additional information. Please note regarding the budget, total revenues were the budget approved by the Board for 2017, revenues include this funding request and we are projecting we will raise \$100,000 less than originally approved.

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	664,000.00
EXPENDITURES	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. (Put amounts in as a negative)	
Personnel (salaries, benefits, payroll taxes, work comp)	-\$ 415,076.00
Operating costs	-\$ 249,842.00
Figures are based on budget approved for 2017. We currently project we will raise \$100,000 less than previously projected. This funding request is included in revenue projections.	
TOTAL EXPENDITURES	-\$ 664,918.00
TOTAL DEFICIT FOR PROJECT OR ORGANIZATION	-\$ 918.00

SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the La Esperanza, Inc. 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.**

Rosalba Velazquez
Applicant/Authorized Official

8/7/17
Date

Aracelis Lopez Velazquez
Witness

8/7/17
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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

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

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

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

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

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

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

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

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

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

Rosalba Velazquez
Applicant/Authorized Official

8/7/17
Title

Amaris Grey Velazquez
Witness

8/7/17
Date

Burton + Arlett
8/8/17

To Be Introduced 08/22/17

**Council District No. 3 – Burton
Tax I.D. No. 335-8.14-49.00 and 335-8.00-35.00
911 Address: 1204 Savannah Road, Lewes**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A HOLISTIC TREATMENT CENTER INCLUDING MASSAGE, ACUPUNCTURE, AND CHIROPRACTOR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.55 ACRE, MORE OR LESS

WHEREAS, on the 12th day of July 2017, a conditional use application, denominated Conditional Use No. 2109, was filed on behalf of Quakertown Wellness Center; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2109 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2109 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the southeast side of Savannah Road, approximately 0.85 mile east of Wescoats Road, and being more particularly described per the attached deed prepared by Smith McCartney & Owens, LLC, said parcel containing 0.55 acre, more or less.

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

To Be Introduced 08/22/17

Council District No. 4 - Cole

Tax I.D. No. 134-11.00-200.00 and 134-11.00-200.01

911 Address: 32026 and 32014 Roxana Road, Ocean View

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.72 ACRES, MORE OR LESS

WHEREAS, on the 29th day of June 2017, a zoning application, denominated Change of Zone No. 1840, was filed on behalf of Preston and Brenda Brasure; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1840 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the west side of Roxana Road, approximately 709 feet south of Atlantic Avenue, and being more particularly described per the attached deed prepared by Tunnell & Raysor, said parcel containing 2.72 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 08/22/17

**Council District No. 5 - Arlett
Tax I.D. No. 134-19.00-22.00 (portion of)
911 Address: Not Available**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 5.29 ACRES, MORE OR LESS

WHEREAS, on the 11th day of July 2017, a zoning application, denominated Change of Zone No. 1841, was filed on behalf of Lemuel H. Hickman GST Exempt Trust fbo Brenton Archut; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1841 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying at the northeast corner of Bayard Road and Double Bridges Road, and being more particularly described per the attached description prepared by Land Design, Inc., said parcel containing 5.29 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 08/22/17

**Council District No. 5 - Arlett
Tax I.D. No. 533-11.00-82.03
911 Address: 36169 Zion Church Road, Frankford**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 2.4968 ACRES, MORE OR LESS

WHEREAS, on the 28th day of July 2017, a zoning application, denominated Change of Zone No. 1842, was filed on behalf of Carmelita L. Pavlosky and Karl Meek; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1842 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the north side of Zion Church Road, approximately 1,115 feet northwest of Bayard Road, and being more particularly described per the attached deed prepared by Tomasetti Law, LLC, said parcel containing 2.4968 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

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



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

Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 13, 2017

Application: CU 2085 Land Marketing Corp. (Salt Aire) DH

Applicant: Land Marketing Corp.
27 Atlantic Ave. #101
Ocean View, DE 19970

Owner: Michael & Penelope Orndorff Jeannine Brackin
31241 Ando Ln 523 Dogtown Rd.
Ocean View, DE 19970 Townsend, DE 19734

Site Location: 38112 Sandy Cove Rd. and on the Northeast side of Sandy Cove Rd.
approximately 472 ft. north of Cedar Neck Rd. and on the northwest side
of Cedar Neck Rd. approximately 764 ft. north of Sandy Cove Rd.

Zoning: GR (General Residential District)

Current Use: Residential

Proposed Use: Multi-family residential (19 single family dwellings)

Comprehensive Land
Use Plan Reference: Environmentally Sensitive Developing Areas

Councilmatic
District: Mr. Cole

School District: Indian River School District

Fire District: Millville Fire District

Sewer: Sussex County

Water: Sussex Shores Water Company

Site Area: 4.16 ac. +/-

Tax Map ID.: 134-9.00-88.00, 80.06 and 80.01



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

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Sussex County
DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: August 15, 2017

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

On February 8, 2017, the Planning and Zoning Department received an application (CU 2085 Land Marketing Corp. (Salt Aire)) to allow for a Conditional Use for Multi-family residential (19 single family dwellings). The Planning and Zoning Commission held a public hearing on July 13, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

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

The Commission found that Jeff Clark, with Land Tech Planning, and Robert Harris, President of Land and Marketing Corporation were present of behalf of the application; that Mr. Clark stated that there was an exhibit booklet which included an Environmental Assessment, PLUS comments, and response to Chapter 99-9C; that the 4.16 acres includes three parcels; that there are single family dwellings surrounding the site; that there is one existing dwelling and storage building on the site; that the property slopes and drains toward the home across Sandy Cove Road; that there are existing public water mains in the road; that the site is State Strategy Level 3; that a TIS and TOA were not required; that public dedication for the Right-of-Way is required and a permanent sign easement is required; that there are no known archeological sites on the site; that Conditional Use 1752 was approved as a 16 unit multi-family attached dwelling project in 2007 and has lapsed; that the property is in the Environmentally Sensitive Developing Area; that the access will be from Sandy Cove Road; that there will be two stormwater management facilities; that the dwellings will have a 15-foot separation distance and will comply with the 165-foot maximum length requirement; that the homes will be two story homes; that 49 homes are allowed per maximum density but they are only proposing 19 homes; that they will not exceed the setback requirements; that they are proposing a 10-foot wide landscape buffer; that they will try to preserve existing trees; that there will be new trees and landscaping around the homes; that there will be street lights; that the entire community will be condominium ownership; that one of the stormwater management ponds will be designed to be dry and used as open space; that Sussex Shores Water Company will be able to provide water; that the sewer will be using an existing line from Sandy Cove Road with an allowable 15 EDU's and will enter into a use of existing infrastructure agreement and purchase of four



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additional EDU's; that there no known endangered species or wetlands; that a half acre will be buffer and 57% will be open space; that all construction will conform to FEMA requirements; that there will be no negligible affect to values of the area; that the existing house will be removed; that it is a well-drained area; that amenities can be a burden for 19 units; that they could entertain an emergency entrance but they are hoping it could be pedestrian access to the County park; that they are no sidewalks; that the roads will be 24 feet wide for cars and could strip five feet for sidewalks; and that the turnarounds meet Fire Marshal regulations.

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

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

At the end of the meeting the Commission discussed the application.

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

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

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

1. This property was the site of Conditional Use #1752 that was approved in 2007 for multi-family dwellings. The application is similar to that prior approval.
2. The property is in an area where other residential development has occurred, including single family homes, multi-family homes, mobile home communities and campgrounds. This project is consistent with those nearby uses, and it is essentially an infill development in this area of cedar Neck Road.
3. The site is in the Environmentally Sensitive Developing Area according to the Sussex County Comprehensive Plan. This type of development is appropriate in this Area according to the Plan.
4. The proposed development will not have an adverse impact on the neighboring properties or roadways
5. The proposed density is significantly lower than the allowable density in the GR General Residential District.
6. The development will be served by central sewer provided by Sussex County.
7. This recommendation is subject to the following conditions:
 - A. The maximum number of residential units shall be 19.

- B. All entrances, intersection, roadways and multi-modal improvements shall be completed by the developer in accordance with all DelDOT requirements.
- C. The project shall be served by Sussex County sewer. The developer shall comply with all Sussex County Department requirements including any offsite upgrades necessary to provide service to the project.
- D. The project shall be served by central water to provide drinking water and fire protection.
- E. The applicant shall submit as part of the Final Site Plan a landscape plan showing the proposed tree and shrub landscape design, including any buffer areas.
- F. All construction and site work on the properties, including deliveries of materials to or from the property, shall only occur between 7 am and 6 pm Monday through Saturday.
- G. Street naming and addressing shall be subject to the review and approval of the County Mapping and Addressing Departments.
- H. The applicant shall form a homeowners' or condominium association responsible for the perpetual maintenance of the streets, road, any buffers or landscaping, stormwater management facilities, erosion and sediment control facilities and other common elements.
- I. The stormwater management system shall meet or exceed the requirements of the State and County. It shall be constructed and maintained using best management practices.
- J. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion and sedimentation control facilities.
- K. The Final Site Plan shall be subject to review and approval of the Sussex County Planning and Zoning Commission.

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

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Sussex County
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Memorandum

To: Sussex County Planning Commission Members
From: Janelle Cornwell, AICP, Planning & Zoning Director
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 6, 2017
RE: Staff Analysis for CU 2085 Land Marketing Corp. (Salt Aire)

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2085 Land Marketing Corp. (Salt Aire) to be reviewed during the July 13, 2017 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcels 134-9.00-88.00, 80.06 and 80.01 to allow for the use as multi-family residential (19 single family dwellings). The size of the property to be used for the Conditional Use is 4.16 ac. +/- . The property is zoned GR (General Residential District).

The 2008 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Environmentally Sensitive Developing Areas.

The surrounding land uses to the south and west are Environmentally Sensitive Developing Areas. The land uses to the north and east are Environmentally Sensitive Developing Areas and Mixed Residential Areas. The Environmentally Sensitive Developing Areas land use designations recognizes that a range of housing types should be permitted including single-family homes, townhouses and multi-family units. Retail and office uses are appropriate; however, larger retail and office uses should be located along arterial roads. Institutional uses can be appropriate to provide for convenient services and allow people to work from home.

The property is zoned GR (General Residential District). The properties to the south are zoned GR (General Residential District) and C-1 (General Commercial District). The properties to the north are zoned GR (General Residential District) and MR (Medium-Density Residential District). The properties to the east are zoned MR (Medium-Density Residential District) and C-1 (General Commercial District). There are several Conditional Uses in the area (24 unit multi-family and 171 unit multi-family).

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use request to allow for multi-family residential (19 single family dwellings) could be considered consistent with the land use, surrounding zoning and uses.



Introduced 02/21/17

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

ORDINANCE NO. ____

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

WHEREAS, on the 8th day of February 2017, a conditional use application, denominated Conditional Use No. 2085, was filed on behalf of Land and Marketing Corporation; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2085 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article VI, Subsection 115-39, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2085 as it applies to the property hereinafter described.

Section 2. The subject property is described as follows:

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

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



Addresses / Parcels

- Tax Parcels
- Council Districts**
- Fire Districts
- County District 01
- County District 02
- County District 03
- County District 04
- County District 05
- County Boundaries
- Schools/Libraries**
- School Buildings (Various)
- School Library
- Public Library
- Special Library
- DOE School Districts
- DOE VoTech School Districts

Hydrology

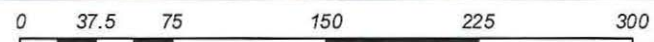
- Streams / Rivers
- Lakes, Ponds, Bays

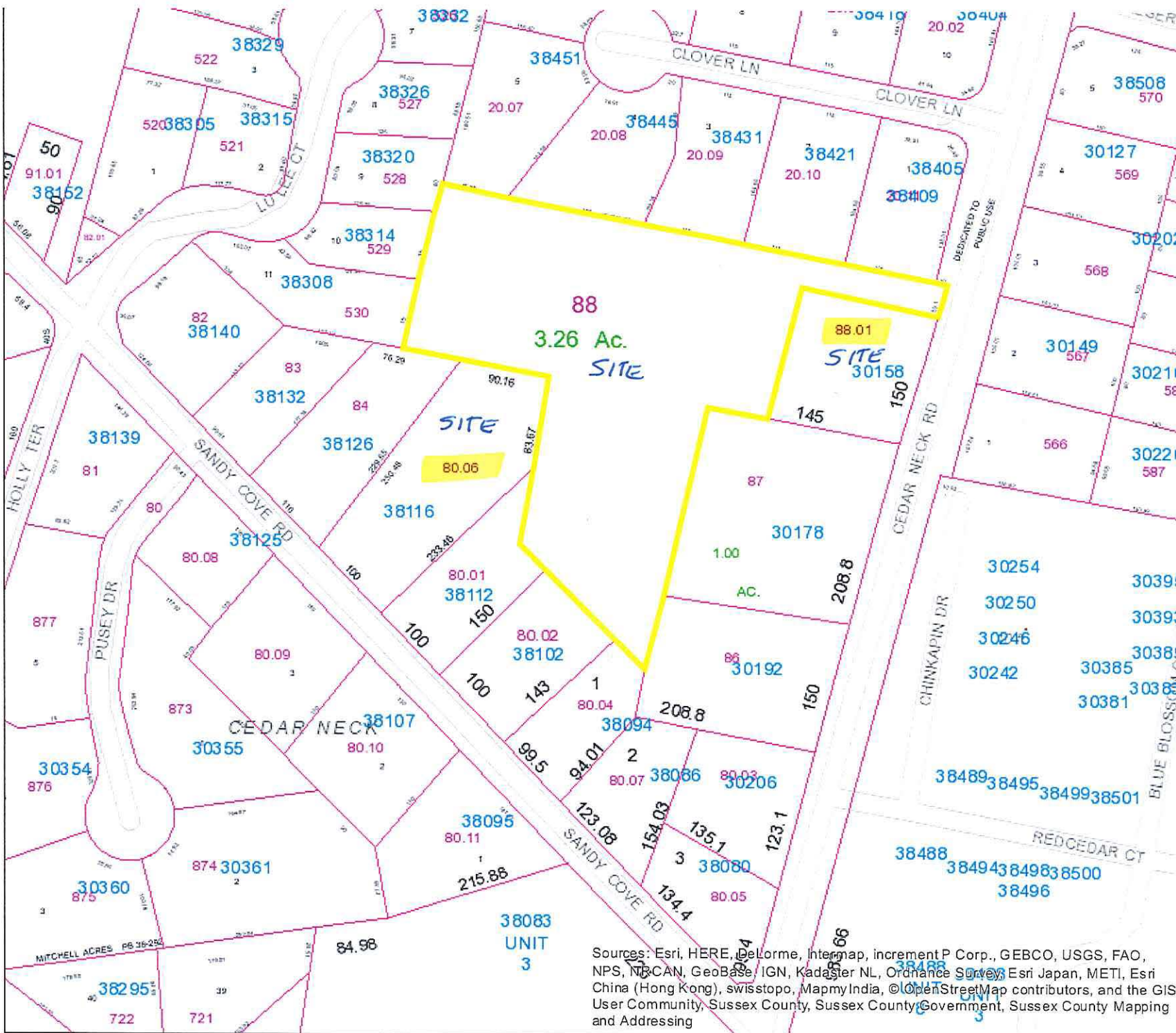
Flood Zones

- 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- Open Water
- VE
- Public Protected Lands
- Municipalities
- Communities
- Boundaries State County



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





Addresses / Parcels

□ Tax Parcels

Council Districts

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

Schools/Libraries

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

Hydrology

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

Flood Zones

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

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

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





Addresses / Parcels

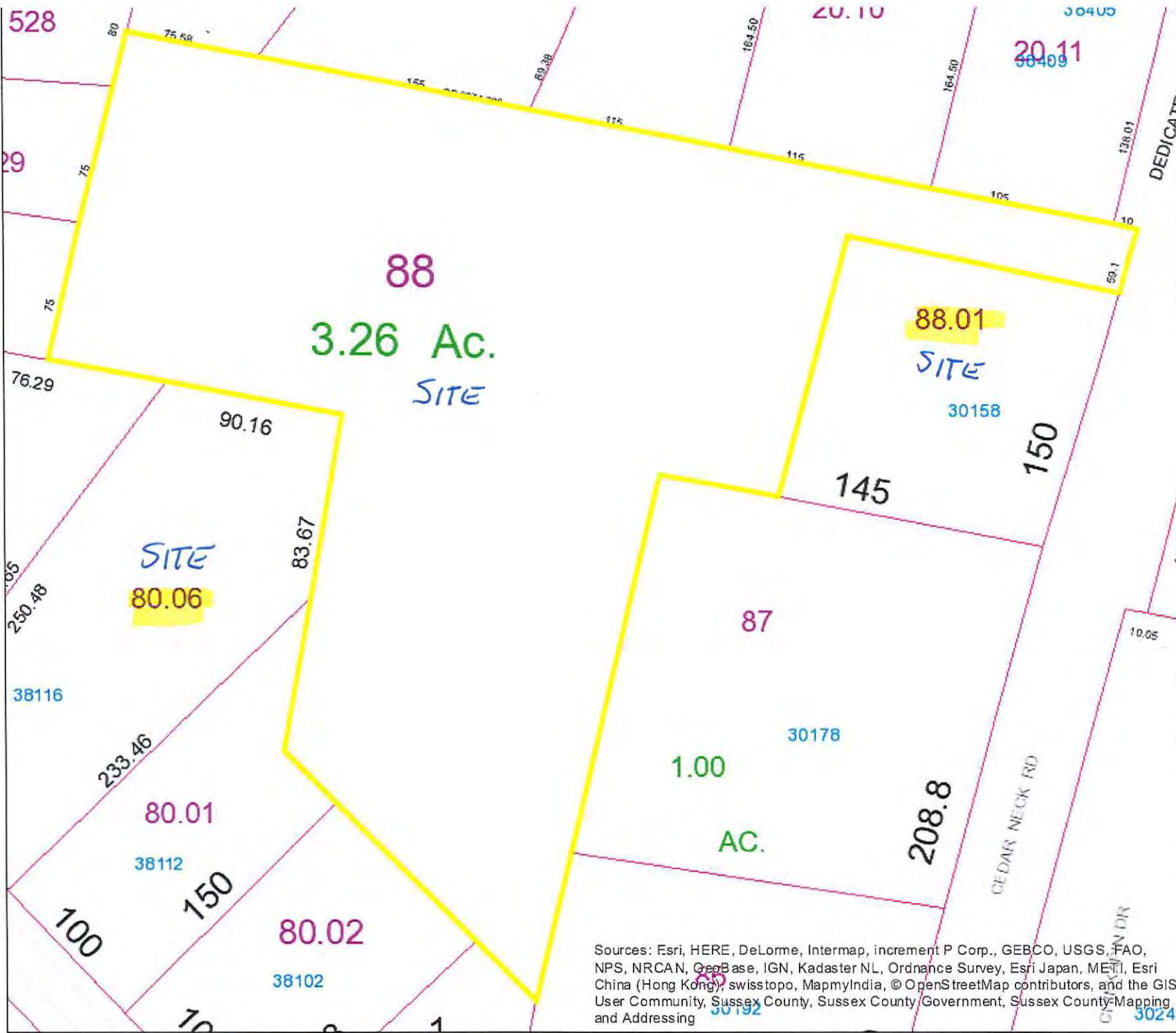
- Tax Parcels
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Hydrology

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- Lakes, Ponds, Bays

Flood Zones

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- Boundaries State County



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



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Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 13, 2017

Application: CU 2086 Kristin Bryan MR

Owner/Applicant: Kristin and Cory Bryan
26330 Governor Stockley Rd.
Georgetown, DE 19947

Site Location: 26330 Governor Stockley Rd.

Zoning: AR-1 (Agricultural Residential District)

Current Use: Residential with beauty shop (home based business)

Proposed Use: Residential with beauty shop (2 chairs)

Comprehensive Land
Use Plan Reference: Low Density Areas

Councilmatic
District: Mr. Wilson

School District: Indian River School District

Fire District: Georgetown Fire District

Sewer: unknown

Water: unknown

Site Area: 1.012 ac. +/-

Tax Map ID.: 133-10.00-9.07



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Sussex County
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Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: August 15, 2017

RE: County Council Report for CU 2086 Kristin Bryan

On January 24, 2017, the Planning and Zoning Department received an application (CU 2086 Kristin Bryan) to allow for a Conditional Use for a beauty shop (2 chairs). The Planning and Zoning Commission held a public hearing on July 13, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission the submitted into the record as part of the application were the staff analysis, comments from the Sussex County Utility Planning Division, DelDOT, Sussex Conservation District and a site plan.

The Commission found Corey Bryan was present on behalf the application; that Mr. Bryan spoke that they are asking for addition of one chair and two new employees to provide more services; and that there will be no impact to the area.

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

At the end of the meeting the Commission discussed the application.

Ms. Stevenson stated that she would move that the Commission recommend approval of Conditional Use 2086 for Kristin Bryan for a beauty shop (with two chairs and three employees) based upon the record during the public hearing and for the following reasons:

1. The site has been used for a home-based beauty shop with one chair.
2. With the condition of approval, the use of the property for residence with a two-chair beauty shop will not adversely affect the neighboring properties, roadways, or the community.
3. The use has a public or a semipublic character that is desirable to the general convenience and welfare of Sussex County and its residents
4. No parties appeared in opposition to this application.
5. This recommendation is subject to the following conditions:
 - A. There shall be no more than three employees.



COUNTY ADMINISTRATIVE OFFICES
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GEORGETOWN, DELAWARE

- B. The applicant shall comply with all roadway and entrances improvements required by DelDOT.
- C. There shall be no more than two chairs in the beauty shop.
- D. One unlit sign shall be permitted, it shall not be greater than 32 square feet per side.
- E. The Final Site Plan shall be subject to the review and approval of Planning and Zoning Commission.

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



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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Janelle Cornwell, AICP, Planning & Zoning Director
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 6, 2017
RE: Staff Analysis for CU 2086 Kristin Bryan

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2086 Kristin Bryan to be reviewed during the July 13, 2017 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 133-10.00-9.07 to allow for the use as a beauty shop (2 chairs). The size of the property to be used for the Conditional Use is 1.012 ac. +/- . The property is zoned AR-1 (Agricultural Residential District).

The 2008 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Low Density Areas.

The surrounding land uses to the north, south, east and west are Low Density Areas. The Low Density Areas land use designations recognizes that the main uses would be agricultural and single family. It also recognizes that business development should be largely confined to businesses that address the needs of single family residences and agriculture. It should also permit industrial uses that support or depend on agricultural uses. The focus of retail and office should provide convenience goods and services to nearby residents and should be limited in their location, size and hours of operation. More intense commercial uses such as auto repair and gasoline sales should be avoided in these areas.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north, and west are zoned AR-1 (Agricultural Residential District). The properties to the south and east are zoned AR-1 (Agricultural Residential District) and C-1 (General Commercial District). There is a Conditional Use in the area (HVAC plumbing business). There is an existing home occupation on the site for a one (1) chair beauty shop.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use request to allow for a beauty shop (2 chairs) could be considered consistent with the land use, surrounding zoning and uses.



Introduced 02/21/17

Council District No. 2 - Wilson

Tax I.D. No. 133-10.00-9.07

911 Address: 26330 Governor Stockley Road, Georgetown

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A BEAUTY SHOP (WITH TWO CHAIRS AND THREE EMPLOYEES) TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.012 ACRES, MORE OR LESS

WHEREAS, on the 24th day of January 2017, a conditional use application, denominated Conditional Use No. 2086, was filed on behalf of Kristin Bryan; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2086 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

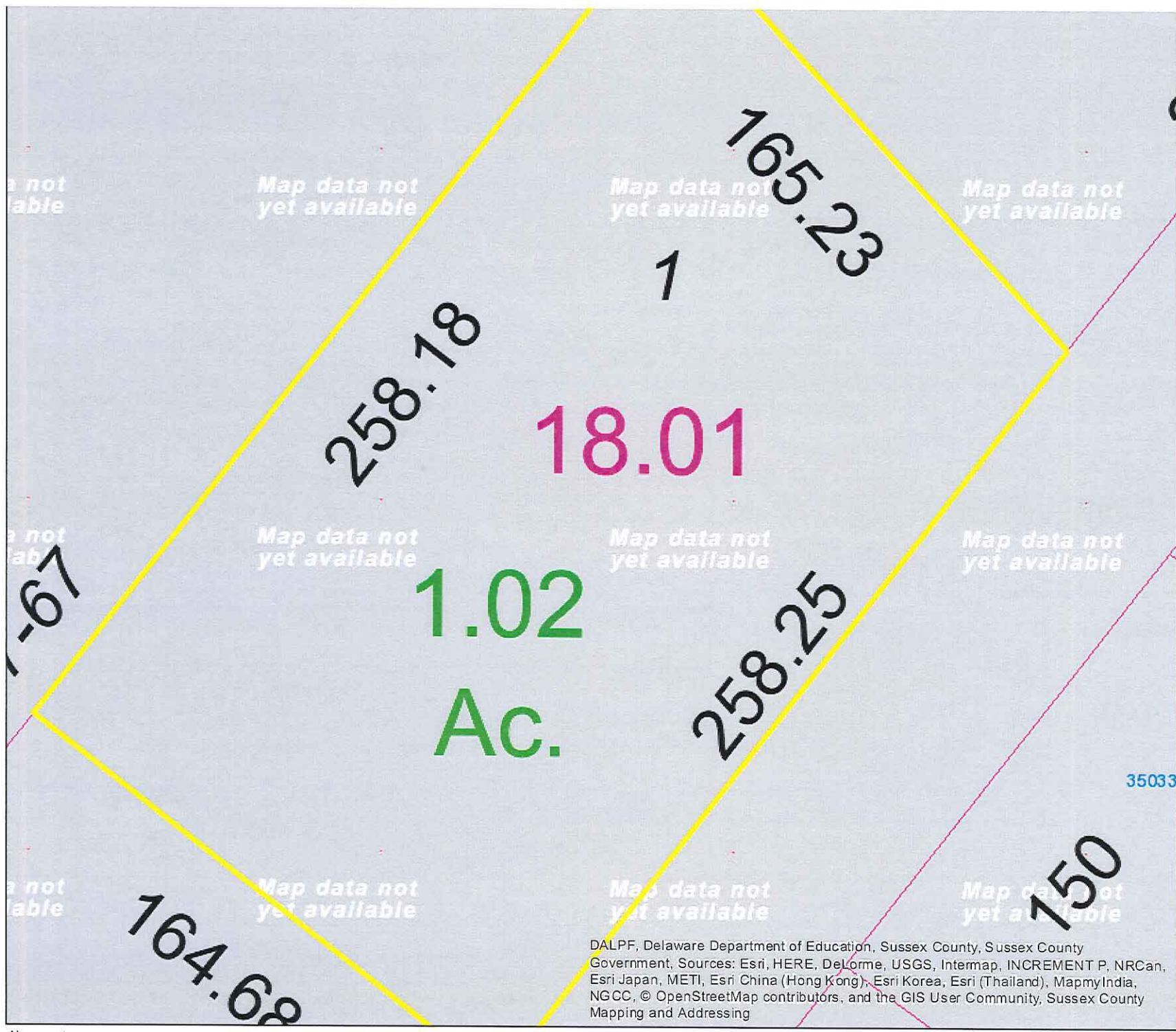
NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2086 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 the northwest side of Governor Stockley Road approximately 1,308 feet north of E. Piney Grove Road and being more particularly described per the attached Deed prepared by Wilson, Halbrook & Bayard, P.A., said parcel containing 1.012 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.



Addresses / Parcels

□ TaxParcels

Council Districts

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

□ County Boundaries

Schools/Libraries

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

Hydrology

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

Flood Zones

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

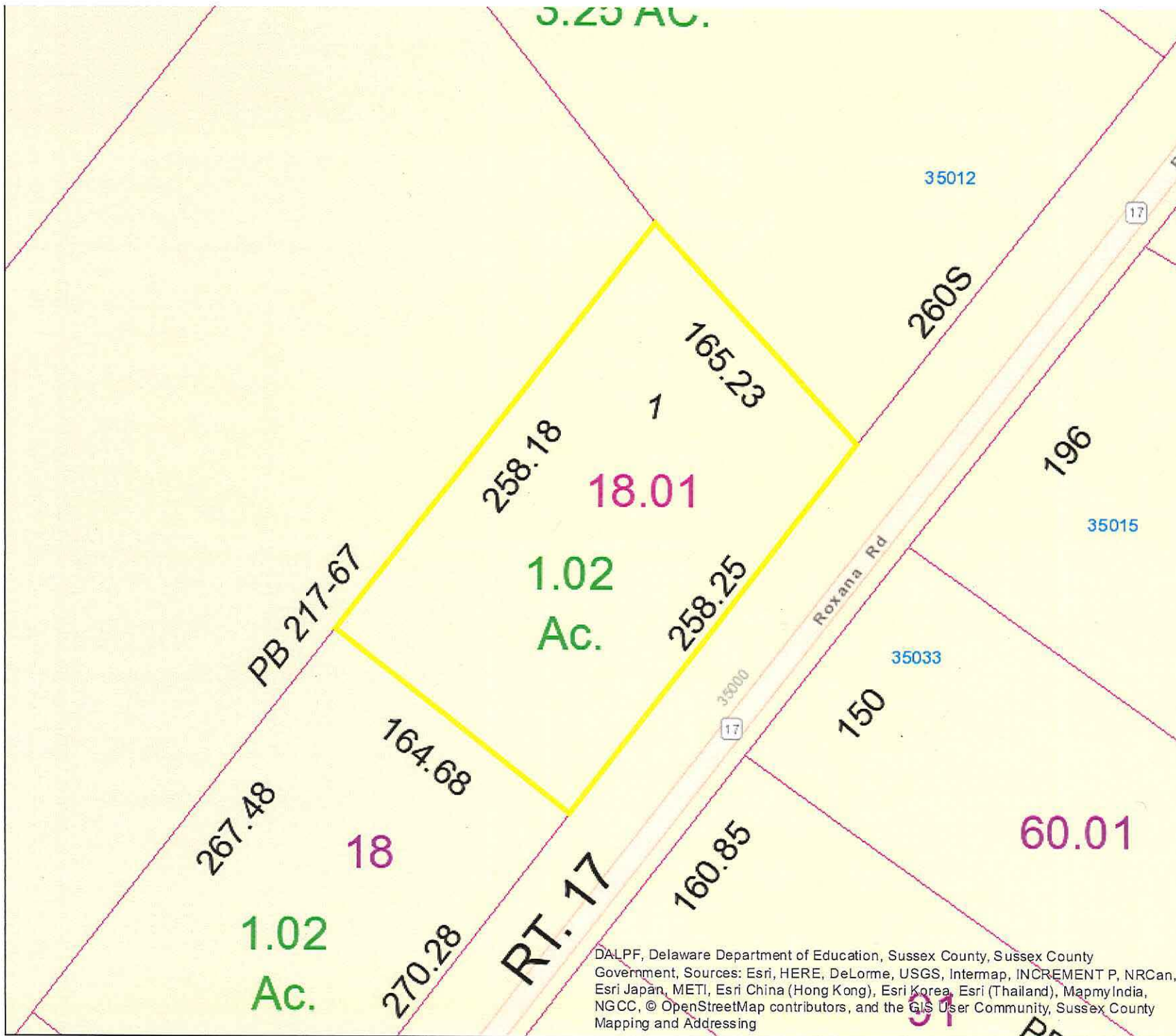
- 🌳 Public Protected Lands
- 🏘 Municipalities
- 🏘 Communities
- 🏘 Boundaries State County

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



Sussex County Man





Addresses / Parcels

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- County District 05
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- DOE VoTech School Districts

Hydrology

- Streams / Rivers
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Flood Zones

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- Communities
- Boundaries State County

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





Addresses / Parcels

□ TaxParcels

Council Districts

□ Fire Districts

□ County District 01

□ County District 02

□ County District 03

□ County District 04

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🏫 School Buildings (Various)

📖 School Library

📖 Public Library

📖 Special Library

📖 DOE School Districts

📖 DOE VoTech School Districts

Hydrology

🌊 Streams / Rivers

🟦 Lakes, Ponds, Bays

Flood Zones

🟡 0.2% Annual Chance Flood Hazard

□ A

□ AE

□ AO

🟦 Open Water

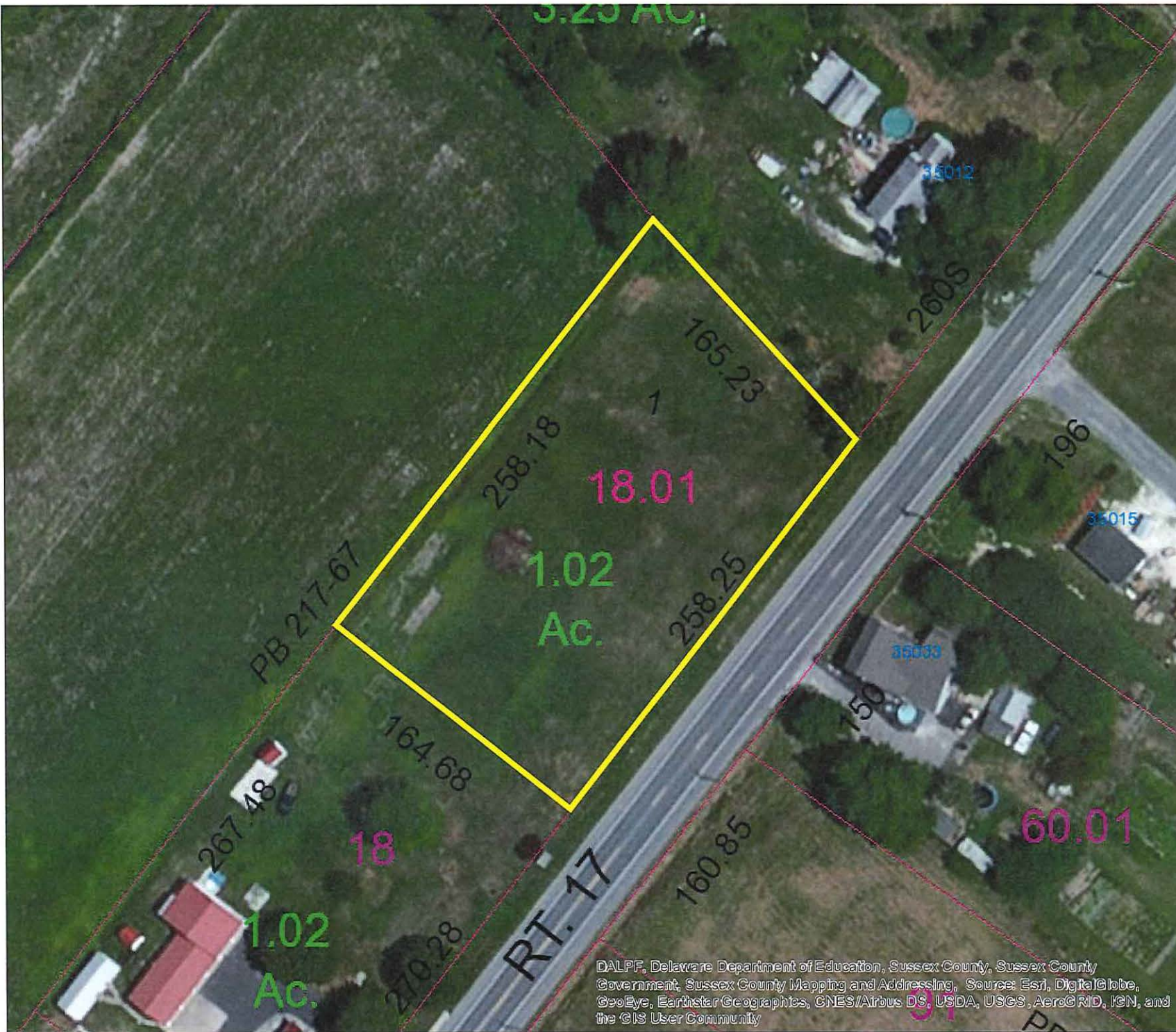
🟪 VE

🟩 Public Protected Lands

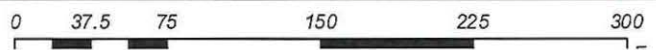
🟩 Municipalities

🟩 Communities

🟩 Boundaries State County



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



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



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Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 13, 2017

Application: CU 2087 John & Brenda Fegelein Trustees DH

Owner/Applicant: John & Brenda Fegelein Trustees
105 South Newport Way
Dagsboro, DE 19939

Site Location: Northwest side of Roxana Rd. approximately 715 ft. east of Zion Church Rd.

Zoning: AR-1 (Agricultural Residential District)

Current Use: Vacant

Proposed Use: Automobile repair shop

Comprehensive Land Use Plan Reference: Low Density Areas

Councilmatic District: Mr. Arlett

School District: Indian River School District

Fire District: Roxana Fire District

Sewer: On-site septic

Water: On-site well

Site Area: 0.958 ac. +/-

Tax Map ID.: 533-6.00-18.01



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Sussex County

DELAWARE
sussexcountyde.gov

Memorandum

To: Sussex County Planning Commission Members
From: Janelle Cornwell, AICP, Planning & Zoning Director
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 6, 2017
RE: Staff Analysis for CU 2087 John & Brenda Fegelein Trustees

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2087 John & Brenda Fegelein Trustees to be reviewed during the July 13, 2017 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Conditional Use for parcel 533-6.00-18.01 to allow for the use as an automobile repair shop. The size of the property to be used for the Conditional Use is 0.958 ac. +/- . The property is zoned AR-1 (Agricultural Residential District).

The 2008 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Low Density Areas.

The surrounding land use to the north, south, east and west is Low Density Areas. The Low Density Areas land use designations recognizes that the main uses would be agricultural and single family. It also recognizes that business development should be largely confined to businesses that address the needs of single family residences and agriculture. It should also permit industrial uses that support or depend on agricultural uses. The focus of retail and office should provide convenience goods and services to nearby residents and should be limited in their location, size and hours of operation. More intense commercial uses such as auto repair and gasoline sales should be avoided in these areas.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north are zoned AR-1 (Agricultural Residential District) and B-1 (Neighborhood Business District). The properties to the south and east are zoned AR-1 (Agricultural Residential District). The properties to the west are zoned ARE-1 (Agricultural Residential District), B-1 (Neighborhood Business District) and C-1 (General Commercial District). There are several Conditional Uses in the area (radio tower, commercial building, office & warehouse, and HVAC, plumbing, electrical business).

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use request to allow for an automobile repair shop may not be considered consistent with the land use, and surrounding zoning; however, it could be considered consistent with some of the surrounding uses.



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PLANNING & ZONING DIRECTOR
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Sussex County
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Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: August 15, 2017

RE: County Council Report for CU 2087 John & Brenda Fegelein Trustees

On February 17, 2017, the Planning and Zoning Department received an application (CU 2087 John & Brenda Fegelein Trustees) to allow for a Conditional Use for a Automobile repair shop. The Planning and Zoning Commission held a public hearing on July 13, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission the submitted into the record as part of the application were the staff analysis, comments from the Sussex County Utility Planning Division, DelDOT, Sussex Conservation District an exhibit book, survey, site plan and 4 letters in support.

The Commission found William Scott, Attorney with Scott and Shuman, PA., and George Smudin, owner of Roxana Auto Services were present on behalf of the application; that Mr. Scott spoke that this conditional use is to relocate Roxana Auto Services to this site; that the current location is approximately 800 ft. down the road; that the one acre site is not improved; that information in the exhibit book shows other uses in the area, zoning map, and proposed conditions; that Mr. Smudin spoke he opened in 2009 and was told the lease would not be renewed; that it is important for him to stay in the area as most of his customers are in the area; that he operates Monday through Friday from 8:00 am to 4:00 pm; that he is a one person business; that he has talked to the neighbors and they seem not to have a problem; that there will be no junk on the property; that there will be no storage on site; that he does general automotive repair; that all the work is done indoors; that Mr. Scott spoke that the building will be 40' x 60'; that the building will be served by well and septic; that there will be eight parking spaces; that there is no intention for employees; that there is no adverse impact as it is relocation of the business; that there other commercial uses along Route 17; that the fluids will be recycled appropriately; that the use would help the local economy; that the land use designation is Low Density Area which does permit some commercial uses; and that this is the relocation of an existing business down the street.

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

The Commission found Lea Clark spoke in opposition to the application; that she is an adjacent property owner; that she purchased the site zoned AR-1; that she believes in small business but maybe there is a better area; that she feels she is being forced out; that she has concerns that this



COUNTY ADMINISTRATIVE OFFICES
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GEORGETOWN, DELAWARE

may reduce the property value; that her son is a customer; that she thinks the applicant is an outstanding man but what will happen if he decides to leave; that she would like to save some trees; that she has concerns that the drainage may drain into the tax ditch; that she would not be opposed if he tried to subdivide his property and placed a home on there to sell; that this property should not be an commercial use in the area; that there are lots of other conditional use in the area; that she has concerns with traffic; and that she is okay with the towing service, and bait and tackle shop in the area.

The Commission found Mr. Scott spoke that screening will be provided.

At the end of the meeting the Commission discussed the application.

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

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

Mr. Hudson stated that he would move that the Commission recommend approval of Conditional Use 2087 for John F. and Brenda L. Fegelein for an automotive repair shop based upon the record made during the public hearing and for the following reasons:

1. The automotive repair is small, and with the conditions and stipulations placed upon it, it will not have an adverse impact on the neighboring properties or community.
2. There are other small business uses and commercial or business uses in the area, including HVAC services, towing and other auto services, bait and tackle sales and others. This use is consistent with those uses.
3. The use as an automotive repair facility is of a public or semi-public character and is desirable for the general convenience and welfare of the area.
4. This recommendation for approval is subject to the following conditions and stipulation:
 - A. One lighted sign, not to exceed 32 square feet per side.
 - B. Security lighting shall be downward screened and shall be directed away from neighboring properties and roadways.
 - C. Any dumpsters shall be screened from view of neighbors and roadways. The dumpster locations shall be shown on the Final Site Plan.
 - D. All repairs shall be performed indoors. No automobile parts shall be stored outside.
 - E. No junked, unregistered or permanently inoperable vehicles or trailers shall be stored on the site.
 - F. As proposed by the applicant, no more than 8 cars shall be on the site for repairs at any one time.
 - G. The property shall be screened from view of neighboring properties with a fence or vegetation. This screen shall be shown on the final site plan.
 - H. No cars shall be sold on the property.
 - I. The site shall be subject to all DelDOT entrance and roadway requirements.
 - J. The hours of operation shall be from 7:00 am through 6:00 pm, Monday through Saturday.

K. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.

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

Introduced 04/25/17

**Council District No. 5 – Arlett
Tax I.D. No. 533-6.00-18.01
911 Address: Not Available**

ORDINANCE NO. ____

AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN AUTOMOTIVE REPAIR SHOP TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.0218 ACRES, MORE OR LESS

WHEREAS, on the 17th day of February 2017, a conditional use application, denominated Conditional Use No. 2087, was filed on behalf of John F. and Brenda L. Fegelein Trustees; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Conditional Use No. 2087 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County determined, based on the findings of facts, that said conditional use is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County, and that the conditional use is for the general convenience and welfare of the inhabitants of Sussex County.

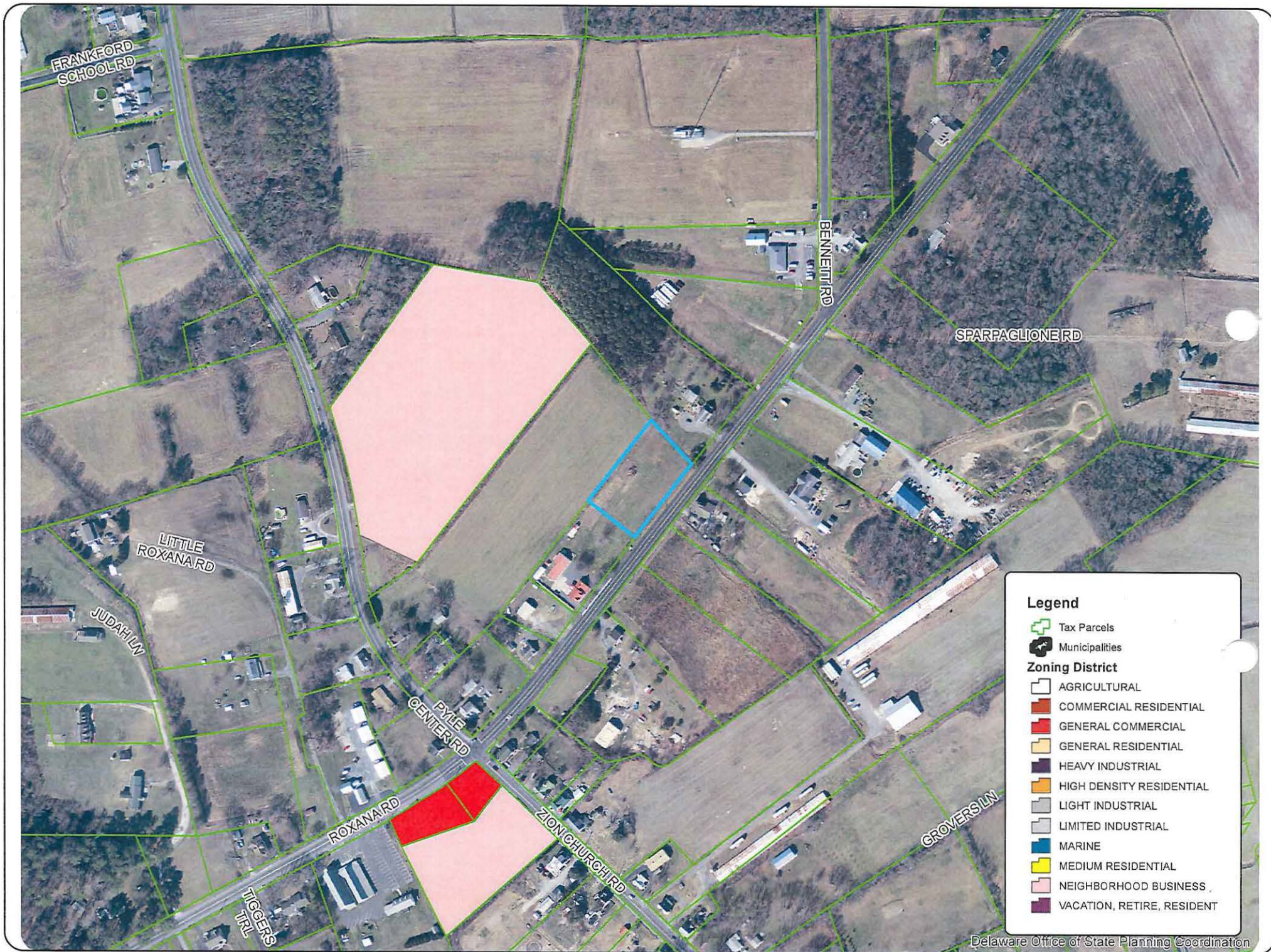
NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

Section 1. That Chapter 115, Article IV, Subsection 115-22, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2087 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 northwest side of Roxana Road (Route 17), approximately 715 feet east of Zion Church Road, and being more particularly described per the attached legal description prepared by Land Design, Inc., said parcel containing 1.0218 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.





Addresses / Parcels

□ TaxParcels

Council Districts

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

Schools/Libraries

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

Hydrology

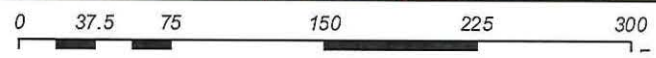
- ~ Streams / Rivers
- Lakes, Ponds, Bays

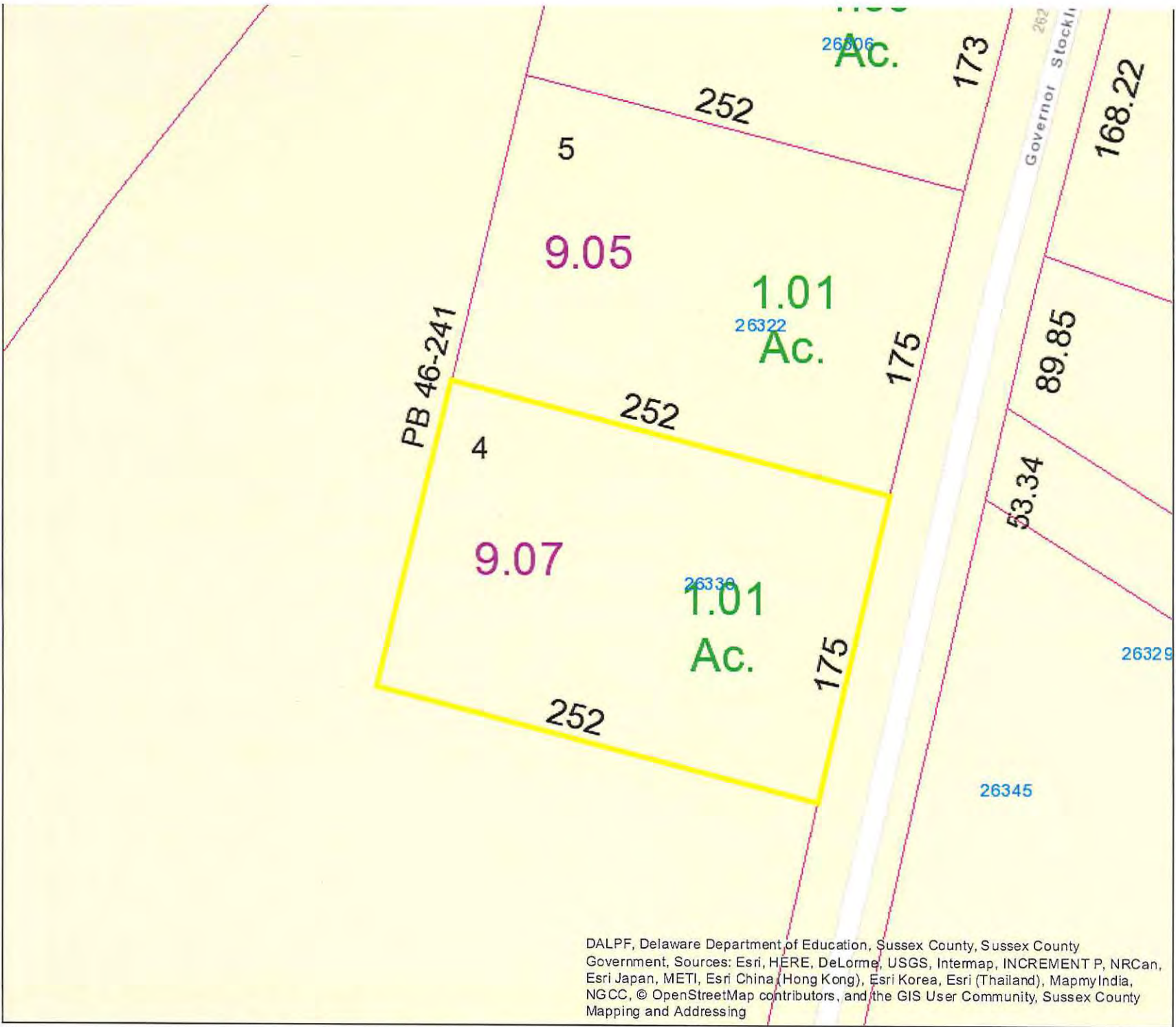
Flood Zones

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

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

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





Addresses / Parcels

TaxParcels

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- DOE VoTech School Districts

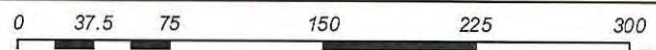
Hydrology

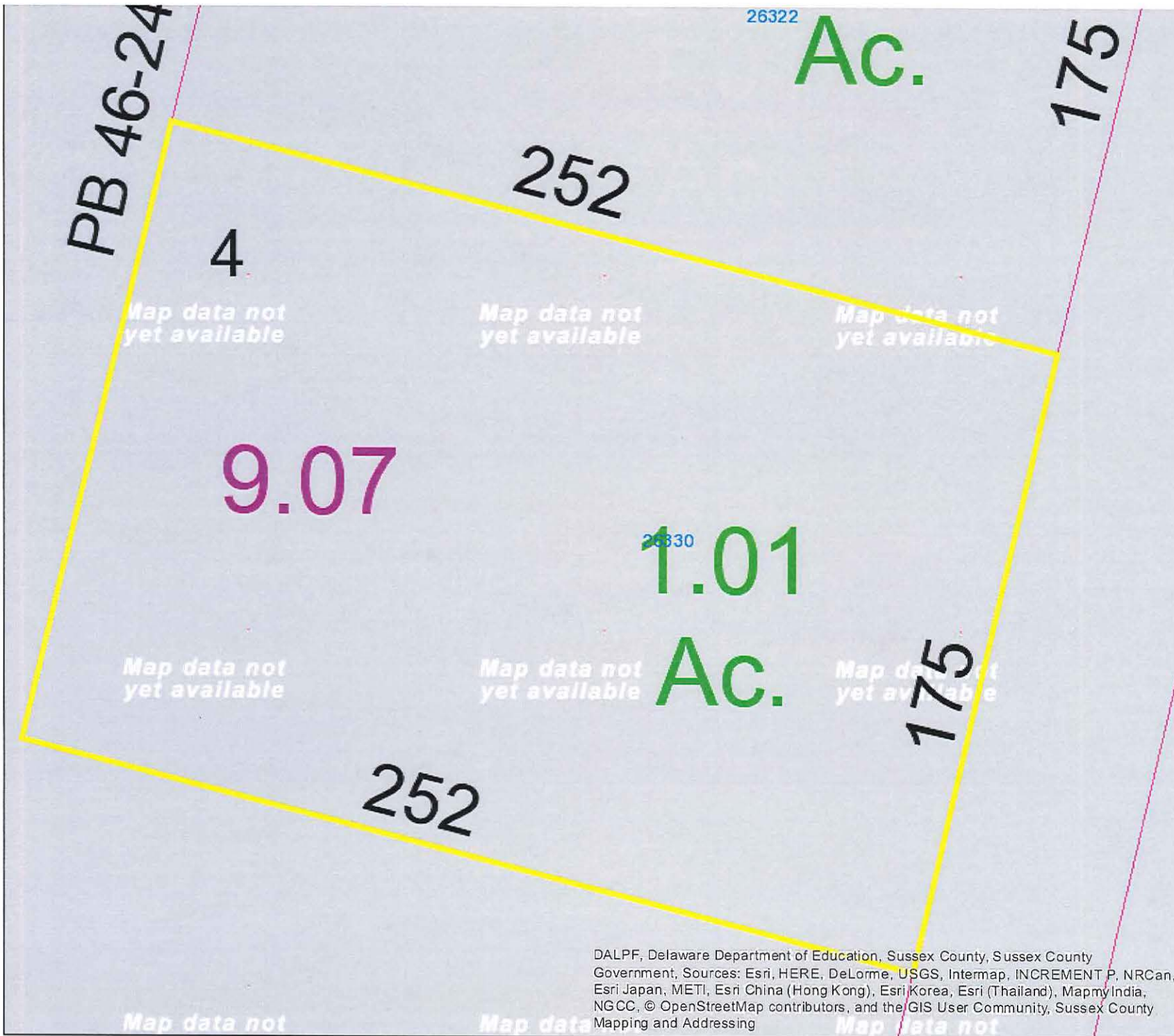
- Streams / Rivers
- Lakes, Ponds, Bays

Flood Zones

- 0.2% Annual Chance Flood Hazard
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- Open Water
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- Communities
- Boundaries State County

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





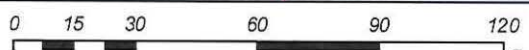
Addresses / Parcels

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- DOE VoTech School Districts

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- Streams / Rivers
- Lakes, Ponds, Bays
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DALPF, Delaware Department of Education, Sussex County, Sussex County Government, Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community, Sussex County Mapping and Addressing



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



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Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET
Planning Commission Public Hearing Date July 13, 2017

Application: CZ 1824 Tomark, LLC KH

Owner/Applicant: Tomark, LLC
20340 Silver Lake Dr.
Rehoboth Beach, DE 19971

Site Location: South side of John J. Williams Hwy. (Rt. 24) and on the north side of
Jersey Rd. approximately 687 ft. east of Gravel Hill Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Zoning: CR-1 (Commercial Residential District)

Comprehensive Land
Use Plan Reference: Developing Areas

Councilmatic
District: Mr. Arlett

School District: Indian River School District

Fire District: Millsboro Fire District

Sewer: On-site septic

Water: On-site well

Site Area: 5.38 ac. +/-

Tax Map ID.: 234-32.00-73.00



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GEORGETOWN, DELAWARE 19947

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Sussex County

DELAWARE
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Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: August 15, 2017

RE: County Council Report for CZ 1824 Tomark, LLC

On February 23, 2017, the Planning and Zoning Department received an application (CZ 1824 Tomark, LLC) to allow for a Change of Zone from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District). The Planning and Zoning Commission held a public hearing on July 13, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission the submitted into the record as part of the application were the staff analysis, comments from the Sussex Conservation District, DelDOT, an exhibit book and survey.

The Commission found that Craig de Mariana Aleman, Attorney with Tunnel & Raysor P.A. and John Murray, Project Manager with Kercher Engineering, Inc. were present on behalf of the application; that Mr. Murray stated that the intent for the site is for storage and office space for antiques; that this property is consistent with the Comprehensive Plan; that adjacent to the property is a gas station, restaurant and other commercial zones; that it is adjacent to commercial zoning across the street; that to the northeast are some parcels zoned B-1 and being used as commercial uses; that the gas station was in the area prior to zoning; that property is in a Level 2 State Strategy; that there will be two small buildings; that there will be road improvements with a 10 foot multi-modal path; that there is an electrical substation adjacent to the site; that it is on its own well and septic; that the project did go through DelDOT for approval; that there is no proposed access to Jersey Road because the access is too narrow; that it is only 20 ft. wide and adjacent to residential property; that it could comply with the Fire Marshal access for a one way street; however there is not a lot of room; that it is not preferred as residential is located along Jersey Road; that they are looking for a small office and storage for their existing business not for a lot of traffic; and that about 15% of the this parcel will be developed.

The Commission found Gary Cuppels, spoke in support of the application, that there is a 20-foot corridor and he does not want commercial traffic on Jersey Road; that he is ok with the rezoning which fronts on Route 24; that he wants deed restrictions with the access only on Route 24; that expressed concerns that the application was filed in violation of the Title 24 as the plans were not sealed documents; and that this should be denied for that reason.



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The Commission found Robert Sernger, Karen Lessey, William Waples, Patti Turpin, Kevin Betts, Britt Murray, Joan Baback, Dustey Long and Alice Long spoke in opposition to the application; that they has concerns with being it too close to the Indian River, that they would like a fence put up to keep trash off of their sites; that they have traffic concerns; that other places have tried to come in off of Route 24 and were denied by DelDOT; that the light has helped with the traffic and noise; that they do not want access off of Jersey Rd. and that they have concerns with headlights shining in windows.

At the end of the meeting the Commission discussed the application.

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

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

Mr. Hopkins stated that he would move that the Commission recommend approval of Change of Zone 1824 for Tomark, LLC for a change in zone from AR-1 to CR-1 based upon the record and the following reasons:

1. The site is located along Route 24 near the town limits of Millsboro. It is also next to a large electrical substation on an adjacent property. This location is appropriate for CR-1 zoning.
2. The site is in an area where other Commercial and Business zoned properties exist. The CR-1 zoning will be consistent with the area zoning and uses.
3. The site is in a Developing Area according to the Sussex County Comprehensive Plan. CR-1 Zoning is appropriate within this Area according to the Plan.
4. The proposed use will not adversely affect neighboring or adjacent properties or roadways.
5. Whenever this property is developed for a particular use, the applicant will be required to meet or exceed all DelDOT requirements. DelDOT will determine where appropriate entrance locations should be.
6. CR-1 Zoning is appropriate, since the County Zoning Code states that the purpose of such zoning is to provide for a wide variety of commercial and service activities generally servicing a wide area, and that such uses should be located along existing major thoroughfares where a general mixture of commercial and service activities now exist. In this case, the rezoning along Route 24 falls within the stated purposes of the CR-1 District.
7. Any development of the site will require preliminary and final site plan review by the Sussex County Planning and Zoning Commission.

Motion by Mr. Hopkins, seconded by Ms. Stevenson, and carried with three (3) votes to forward this application on to the Sussex County Council with the recommendation that the application be approved for the reasons and with the conditions stated. Motion carried 3-2. Mr. Wheatley and Mr. Ross voted no.

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Sussex County
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Memorandum

To: Sussex County Planning Commission Members
From: Janelle Cornwell, AICP, Planning & Zoning Director
CC: Vince Robertson, Assistant County Attorney and applicant
Date: July 6, 2017
RE: Staff Analysis for CZ 1824 Tomark, LLC

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1824 Tomark, LLC to be reviewed during the July 13, 2017 Planning Commission Meeting. This analysis should be included in the record of this application and is subject to comments and information that may be presented during the public hearing.

The request is for a Change of Zone for parcel 234-32.00-73.00. The request to change the zoning from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District). The overall size of the project is 5.38 ac +/-.

The 2008 Sussex County Comprehensive Plan Update (Comprehensive Plan) provides a framework of how land is to be developed. As part of the Comprehensive Plan a Future Land Use Map is included to help determine how land should be zoned to ensure responsible development. The Future Land Use map indicates that the properties have the land use designation Developing Areas.

The surrounding land uses to the north, south, east and west are Developing Areas. The Developing Areas land use designation recognizes that a range of housing types are appropriate including single family, townhouses and multifamily dwellings. It also recognizes that a variety of office uses would be appropriate along with a careful mixture of homes with light commercial and institutional uses to allow for convenient services and allow people to work close to home. The CR-1 zoning district is a zoning classification that can be considered within the Developing Areas.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north are zoned C-1 (General Commercial District) and AR-1 (Agricultural Residential District). The properties to the south and west are zoned AR-1 (Agricultural Residential District). The properties to the east are zoned AR-1 (Agricultural Residential District) and B-1 (Neighborhood Business District). There are no known Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses the Change of Zone request from AR-1 (Agricultural Residential District) to CR-1 (Commercial Residential District) could be considered consistent with the land use, surrounding zoning and uses.



Introduced 03/07/17

**Council District No. 5 - Arlett
Tax I.D. No. 234-32.00-73.00
911 Address: Not Available**

ORDINANCE NO. ____

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 5.38 ACRES, MORE OR LESS

WHEREAS, on the 23rd day of February 2017, a zoning application, denominated Change of Zone No. 1824, was filed on behalf of Tomark, LLC; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the Planning and Zoning Commission of Sussex County and said Planning and Zoning Commission recommended that Change of Zone No. 1824 be _____; and

WHEREAS, on the ____ day of _____ 2017, a public hearing was held, after notice, before the County Council of Sussex County and the County Council of Sussex County has determined, based on the findings of facts, that said change of zone is in accordance with the Comprehensive Development Plan and promotes the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Sussex County.

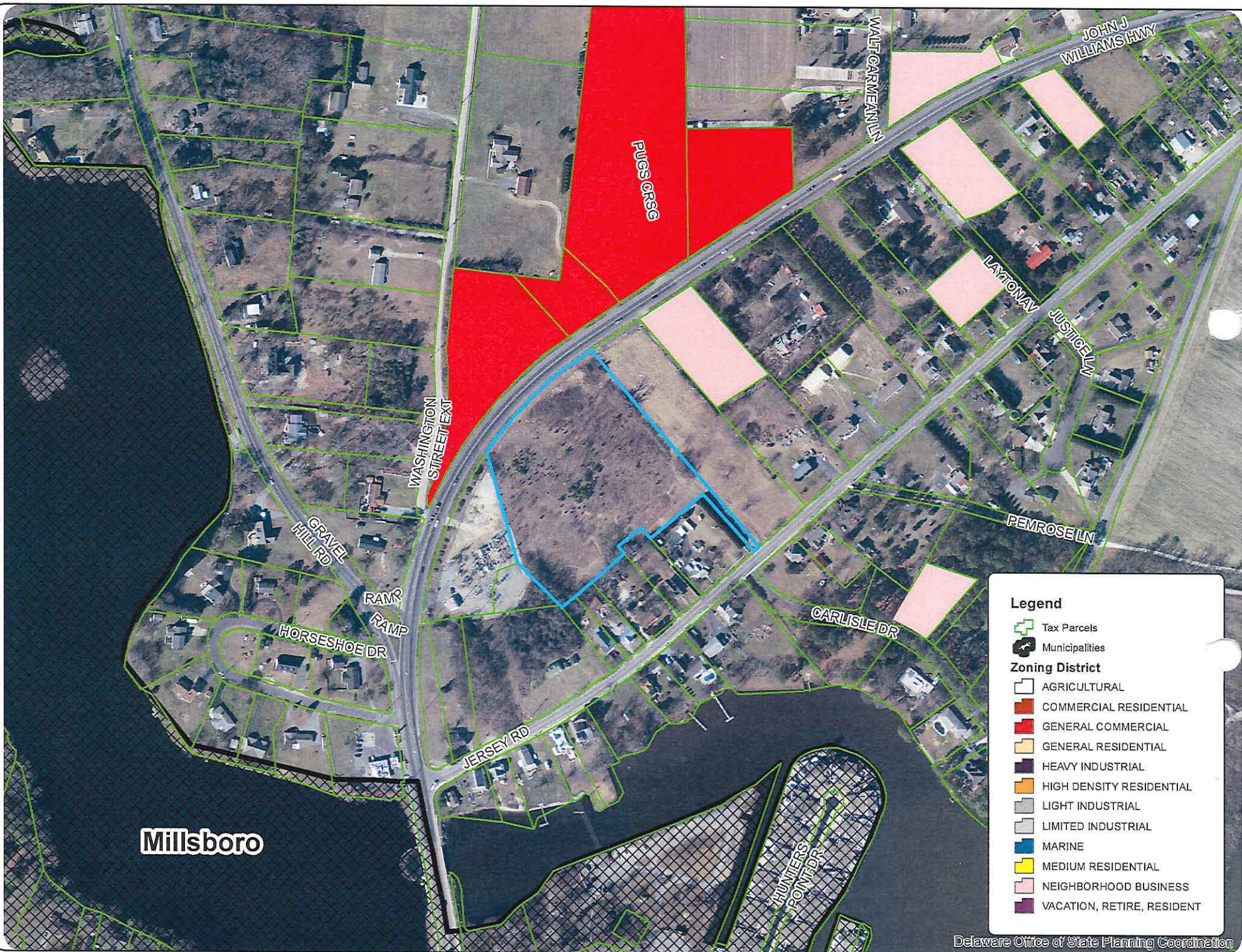
NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying south of John J. Williams Highway (Route 24) and on the north side of Jersey Road, approximately 687 feet east of Gravel Hill Road, and being more particularly described per the attached Deed prepared by Tunnell & Raysor, P.A., said parcel containing 5.38 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.





Addresses / Parcels

- TaxParcels

Council Districts

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

Schools/Libraries

- School Buildings (Various)
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- DOE School Districts
- DOE VoTech School Districts

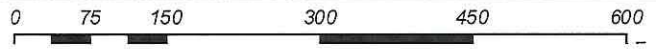
Hydrology

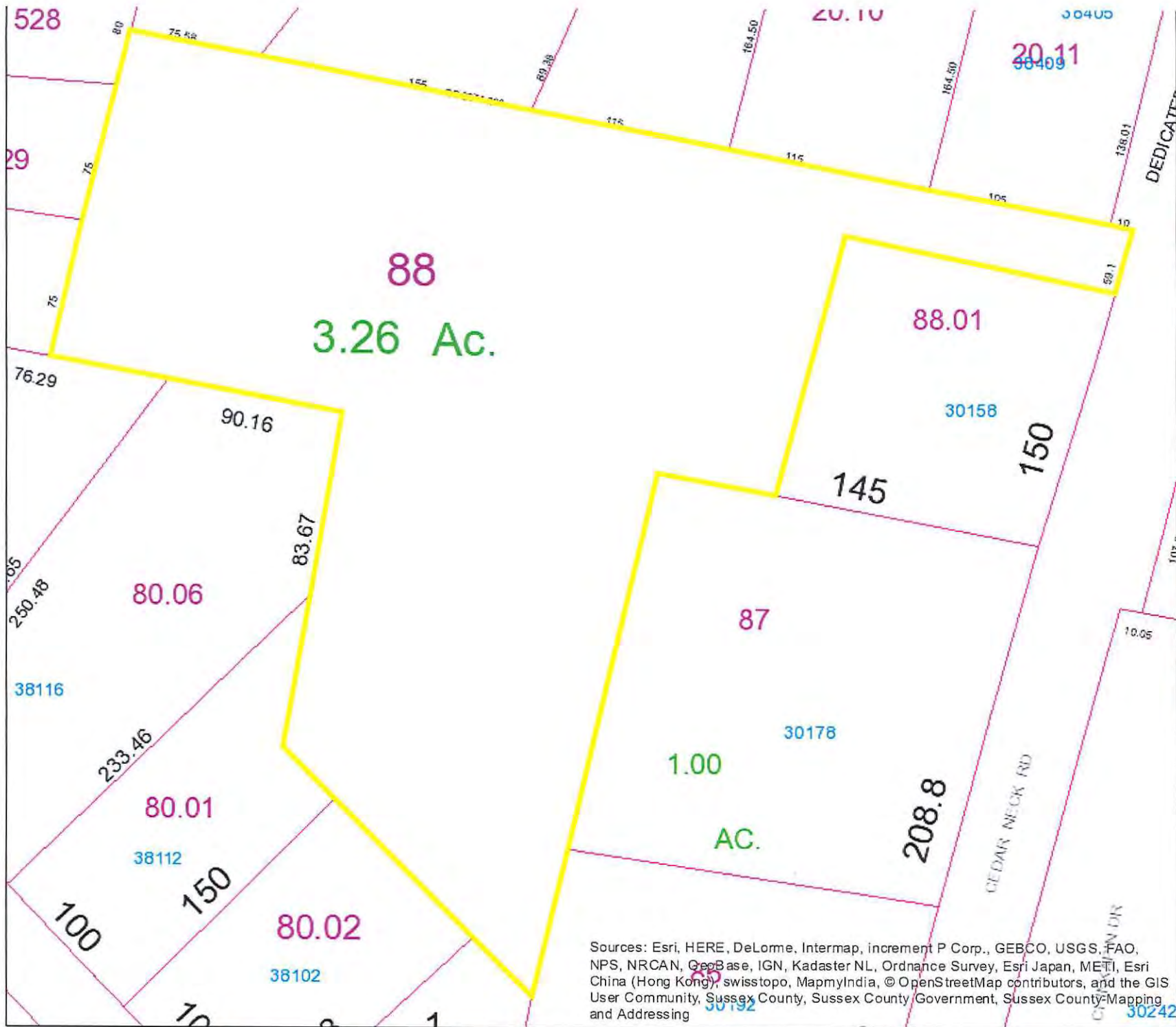
- Streams / Rivers
- Lakes, Ponds, Bays

Flood Zones

- 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- Open Water
- VE
- Public Protected Lands
- Municipalities
- Communities
- Boundaries State County

Sussex County, Sussex County Government, Sussex County Mapping and Addressing.
 Source: Esri, DigitalGlobe, GeoEye, EarthstarGeographics, CNES/Airbus DS, USDA,
 USGS, AeroGRID, IGN, and the GIS UserCommunity





Addresses / Parcels

□ TaxParcels

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

□ County Boundaries

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Flood Zones

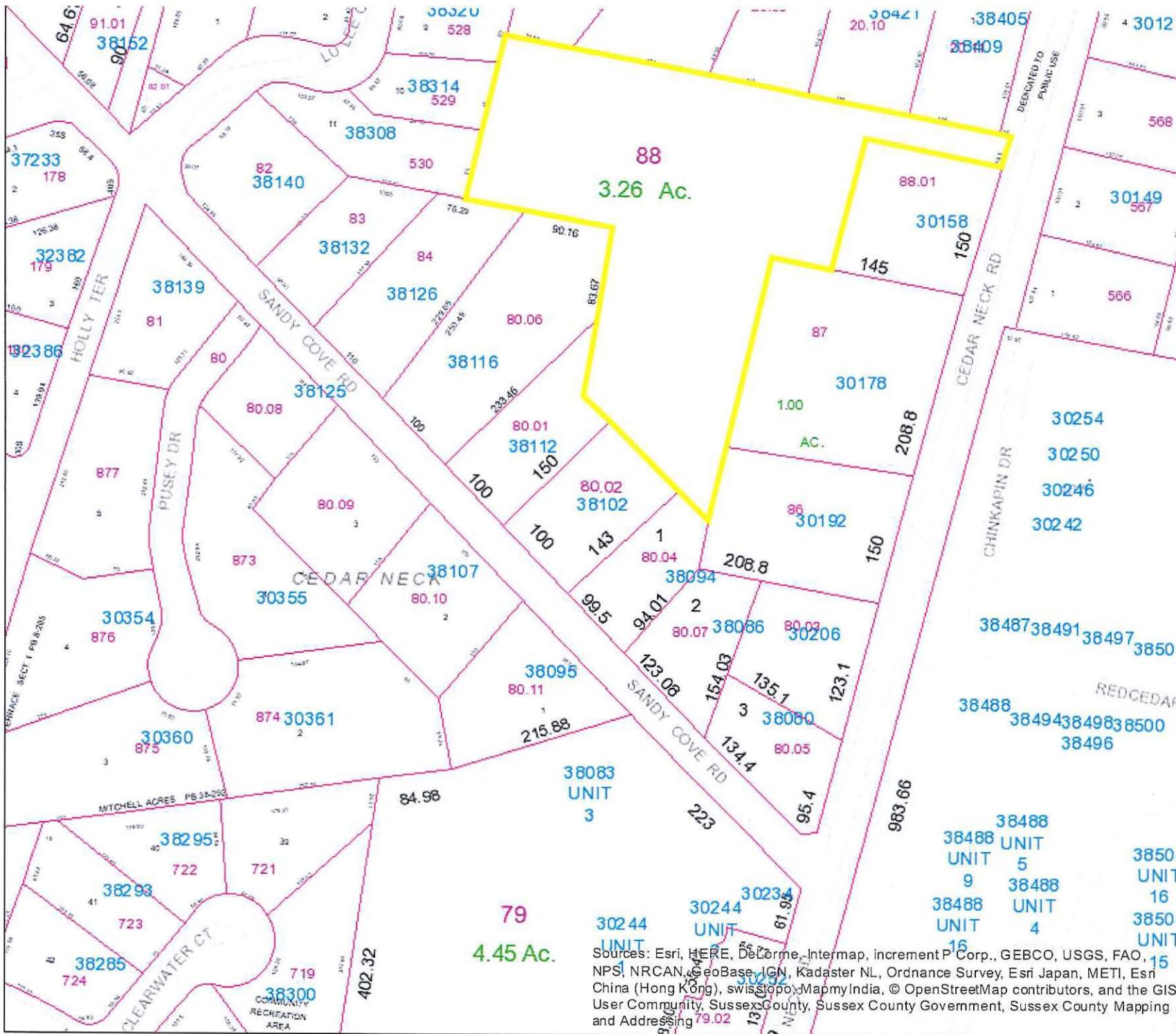
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- Public Protected Lands

□ Municipalities

□ Communities

□ Boundaries State County

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



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