



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

**MEETING:  
October 24, 2017**

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**Sussex County Council  
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GEORGE B. COLE, VICE PRESIDENT  
ROBERT B. ARLETT  
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# Sussex County Council

## AGENDA

OCTOBER 24, 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. 510-3  
Sussex County Project No. 81-04  
The Reserves – Phase 4B  
Ocean View Expansion of the Bethany Beach Sanitary Sewer District
2. Wastewater Agreement No. 984-17  
Sussex County Project No. 81-04  
Coastal Club – Land Bay 3 – Phase B (Construction Record)  
Goslee Creek Planning Area
3. Wastewater Agreement No. 558-12  
Sussex County Project No. 81-04  
Peninsula Lakes – Phase 7A (Construction Record)  
Long Neck Sanitary Sewer District
4. Wastewater Agreement No. 558-13  
Sussex County Project No. 81-04  
Peninsula Lakes – Phase 7B (Pump Station #2 & Force Main)  
Long Neck Sanitary Sewer District



5. **Wastewater Agreement No. 940-1  
Sussex County Project No. 81-04  
Marsh Island – Pump Station and Force Main  
Angola Neck Sanitary Sewer District**
6. **Wastewater Agreement No. 940-2  
Sussex County Project No. 81-04  
Marsh Island – Phase 1A (Construction Record)  
Angola Neck Sanitary Sewer District**

**Todd Lawson, County Administrator**

1. **Administrator's Report**

**10:15 a.m. Public Hearing**

**Pratt Annexation of the Sussex County Unified Sanitary Sewer District  
(Bay View Estates Area)**

**Gina Jennings, Finance Director**

1. **FY 2018 Human Service Grants**

**Councilman Rob Arlett**

1. **Discussion and Possible Introduction of a Proposed Ordinance entitled “AN ORDINANCE RELATING TO THE PROMOTION OF ECONOMIC DEVELOPMENT AND COMMERCE BY REGULATION OF CERTAIN INVOLUNTARY PAYMENTS REQUIRED OF EMPLOYEES IN SUSSEX COUNTY”**

**Grant Request**

1. **Mason Dixon Woodworkers for holiday toy program**

**Introduction of Proposed Zoning Ordinances**

**Council Members' Comments**

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

**Possible Action on Executive Session Items**

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

**Conditional Use No. 2097 filed on behalf of Christopher Lopez**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AUTOMOBILE AND TRUCK SALES, SERVICE, AND REPAIR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.01 ACRES, MORE OR LESS” (located on the east side of DuPont Blvd. (Route 113) approximately 1,297 feet south of Wood Branch Road) (Tax I.D. No. 133-2.00-21.00) (911 Address: 24487 DuPont Boulevard, Georgetown)**

**Change of Zone No. 1828 filed on behalf of Coastal Club (a/k/a Marine Farm)**

**“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT- RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY TO AMEND CHANGE OF ZONE NO. 1764 (ORDINANCE NO. 1770) CONDITIONS 17A AND 17D TO EXTEND TIMEFRAME ONE YEAR FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 373 ACRES, MORE OR LESS” (located on the south side of Beaver Dam Road) (Tax I.D. No. 334-11.00-5.00, 334-11.00-395.00 and 396.00) (911 Address: Not Available)**

**Adjourn**

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

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on October 17, 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, OCTOBER 10, 2017**

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

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

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

**Call to  
Order**

Mr. Vincent called the meeting to order.

**M 514 17  
Approve  
Agenda**

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

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

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

**Minutes**

The minutes of October 3, 2017 were approved by consent.

**Public  
Comments**

**Public Comments**

Keavney Watson commented on the lack of job opportunities in Sussex County.

William Tucker commented on the Blessing's business on Draper Road and, specifically, reasons to not permit Mr. Blessing to expand his hours of operation.

John Robinson, Chris Nichols, and Kathy Casey spoke in support of the proposed sports complex and the need for additional sports fields (pickleball, soccer, etc.) in Sussex County.

Mr. Cole joined the meeting during public comments.

**Mr. Vincent paused the Public Comments portion of the meeting so that Council could hold the scheduled 10:15 a.m. Public Hearing.**

**Public  
Hearing/  
Proposed  
EDU  
Ordinance**

**A Public Hearing was held on the Proposed Ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 110, SECTION 110-88 OF THE CODE OF SUSSEX COUNTY TO ADD “EQUIVALENT DWELLING UNITS” AS A METHOD OF CALCULATING SEWER OR WATER ASSESSMENTS”.**

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

**Mrs. Jennings discussed Council’s request for State Law to be changed to allow for other means of collecting utility assessments besides front footage calculations. State legislation was passed on July 1, 2017 (SB 99) and signed by the Governor on August 30, 2017.**

**Mrs. Jennings reviewed the current process of establishing and billing assessment charges for sewer or water service (front footage). She noted that adoption of the Proposed Ordinance will allow the County to determine the most equitable way to charge users and allow the County to pay off its debt. She noted that until debt for a sewer district is paid off, charges assessed will remain based on front footage.**

**Public comments were heard.**

**Dan Kramer spoke in support of the Proposed Ordinance. He questioned why the County would still charge based on front footage and questioned why properties that will never be developed will still be charged.**

**There were no additional public comments.**

**The Public Hearing and public record were closed.**

**M 515 17  
Adopt  
Ordinance  
No. 2524**

**A Motion was made by Mr. Cole, seconded by Mr. Burton, to Adopt Ordinance No. 2524 entitled “AN ORDINANCE TO AMEND CHAPTER 110, SECTION 110-88 OF THE CODE OF SUSSEX COUNTY TO ADD “EQUIVALENT DWELLING UNITS” AS A METHOD OF CALCULATING SEWER OR WATER ASSESSMENTS”.**

**Motion Adopted: 5 Yeas.**

**M 515 17  
(continued)**

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

**Public  
Comments  
(continued)**

**Public Comments (resumed)**

**Marion Lisehora, Susan Brooken, and Steve Burke spoke in support of the proposed sports complex and the need for additional sports fields (pickleball, soccer, etc.) in Sussex County.**

**Paul Reiger commented on the recent animal cruelty case in Seaford and noted that the County needs to enforce Code which states that anyone having more than four dogs has to have a kennel license.**

**Maria Payan stated that she represents citizens in the Prime Hook area regarding the Blessing's business on Draper Road. She further stated that Mr. Blessing is planning to come to the County for an amendment to conditions recently imposed and she stated that his business hours should not be extended.**

**Craig Holmes commented and asked for Council's help on a problem throughout the towns, County and the State regarding the enforcement of the use of handicapped parking spaces.**

**Report on  
Sussex  
C.A.R.E.S.  
Conference**

**Ruth Ann Beideman, Chairperson of the Advisory Committee on Aging and Adults with Physical Disabilities for Sussex County, presented information on the Sussex C.A.R.E.S. Conference scheduled for October 18, 2017 from 8:00 a.m. to 2:30 p.m. at the CHEER Community Center on Sandhill Road in Georgetown. The focus of this year's conference is "From Beach Babies to Beach Boomers: The Journey to Independence after a Diagnosis". Ms. Beideman advised that guests will have an opportunity to learn about the various challenges faced by people as they age and the resources available to help individuals cope with those challenges.**

**Wastewater  
Agreement**

**Mr. Lawson presented a Wastewater Agreement for Council's consideration.**

**M 516 17  
Execute  
Wastewater  
Agreement/  
Marsh  
Farm  
Estates**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based upon the recommendation of the Engineering Department, for Sussex County Project No. 81-04, Agreement No. 892-3, that the Sussex County Council execute a Construction Administration and Construction Inspection Agreement between Sussex County Council and Marsh Farm, LLC for wastewater facilities to be constructed in Marsh Farm Estates – Phase 1 located in the Angola Neck Sanitary Sewer District.**

**Motion Adopted: 5 Yeas.**

**M 516 17  
(continued)**

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

**Proposed Ordinance Relating to the Prohibition of Firearms in County Buildings**

**Mr. Lawson presented for discussion and consideration a Proposed Ordinance relating to the prohibition of firearms in County buildings. Mr. Lawson advised that the Proposed Ordinance, if adopted would amend the Sussex County Code by adopting Chapter 63, §63-1, which prohibits the possession of firearms, ammunition, components of firearms, or explosives in all County buildings, subject to certain exceptions, in accordance with Title 9, Section 330 of the Delaware Code and would allow the County to screen for and prohibit firearms specifically, unless an individual is qualified by the State to carry a firearm under Delaware Code, Title 9, §330.**

**Introduction of Proposed Ordinance**

**Mr. Cole introduced the Proposed Ordinance entitled “AN ORDINANCE TO ADOPT CHAPTER 63, SECTION 63-1 OF THE CODE OF SUSSEX COUNTY WHICH SHALL PROHIBIT POSSESSION OF FIREARMS, AMMUNITION, COMPONENTS OF FIREARMS, OR EXPLOSIVES IN ALL COUNTY BUILDINGS, SUBJECT TO CERTAIN EXCEPTIONS, IN ACCORDANCE WITH TITLE 9, SECTION 330 OF THE DELAWARE CODE”.**

**The Proposed Ordinance will be advertised for Public Hearing.**

**Administrator’s Report**

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

- 1. Sussex County Comprehensive Land Use Plan - Public Workshop**  
A public workshop regarding the draft Comprehensive Land Use Plan will be held on Wednesday, October 11<sup>th</sup>, from 12:00 noon to 7:30 p.m. at the CHEER Community Center, 20520 Sand Hill Road, in Georgetown. Several presentations will be conducted, at 12:30 p.m., 3:30 p.m., and 6:00 p.m., to review elements of the 2018 Comprehensive Plan draft plan that have been completed thus far by the County’s Planning & Zoning Commission, as well as take feedback from the public and discuss the process moving forward.
- 2. Projects Receiving Substantial Completion**  
Per the attached Engineering Department Fact Sheets, the following projects have received Substantial Completion: Forest Landing – Phase 4, effective October 2<sup>nd</sup>; DRC Properties, L.L.C. – Phase 2, effective October 3<sup>rd</sup>; and DRC Properties, L.L.C. (Construction Plan Approval and Phase 1B Construction Record), effective October 3<sup>rd</sup>.
- 3. Council Meeting Schedule**  
A reminder that Council will not meet on Tuesday, October 17<sup>th</sup>. The next regularly scheduled Council meeting will be held on October 24<sup>th</sup> at 10:00 a.m.



**(continued) [Attachments to the Administrator’s Report are not attachments to the minutes.]**

**Economic  
Develop-  
ment  
Update**

**Bill Pfaff, Economic Development Director, reported on his activities during his first 100 days in office: Delaware Coastal Business Park, the Department’s website [www.Excitesussex.com](http://www.Excitesussex.com) and a Management Information System (MIS) for the website, Downtown Development Districts, economic development strategy, and a new loan program (under development). Mr. Pfaff referenced the differences between the west and east sides of the County and he stated that, from a federal funding standpoint, Sussex County should be two counties. Mr. Pfaff also reported on the Sussex Economic Development Grid (SEDG) Initiative which creates an opportunity for economic rejuvenation and job creation for communities with Sussex County.**

**Mr. Cole commented on the growth in Sussex County and specifically referenced the number of residential building permits being issued. Mr. Cole also commented on the differences between the west and east sides of the County.**

**Mr. Arlett referenced Mountaire’s planned expansion outside of Delaware due to inadequate infrastructure, lack of affordable housing, and the unfriendly business environment in the State of Delaware.**

**Reference  
to Right-  
to-Work  
Legislation/  
Request to  
Introduce  
Ordinance**

**Mr. Arlett also referenced the legislative update provided at the April 21, 2015 Council meeting, and more specifically House Bill No. 87 entitled “AN ACT TO AMEND TITLES 22 AND 9 OF THE DELAWARE CODE RELATING TO RIGHT-TO-WORK ZONES”. It was noted that nothing has been done with this legislation. Mr. Arlett quoted the minutes of April 21, 2015 as follows: “A discussion was held regarding the fact that the State of Delaware is not a right-to-work state and a question was raised as to whether the County Council has the authority to make Sussex County a right-to-work county. Mr. Arlett suggested that this be a topic of discussion/consideration at a future date.” Mr. Arlett stated that this issue is about options; it is a tool in the toolbox. Mr. Arlett stated that he would like to introduce an ordinance “relating to the promotion of economic development and commerce by regulation of certain involuntary payments required of employees in Sussex County”. Mr. Arlett stated that he wishes to introduce the ordinance for the purpose of having public dialog.**

**In response to Mr. Arlett’s request and questions raised by Mr. Vincent, Mr. Moore referenced the Council’s Rules of Procedure (Rule 10 - Ordinances) which states how an ordinance can be drafted and introduced, and he noted that the matter needs to be placed on a future agenda for discussion and possible introduction. Mr. Moore stated that it will also come down to a legal opinion as to whether or not the County can enact the ordinance or not.**

(continued) In regard to Mr. Pfaff's presentation, Mr. Burton commented on the County's demographics and also on broadband.

**Airport Constant Current Regulators Project** Hans Medlarz, County Engineer, reported that in the Fiscal Year 2018 Budget, the procurement of constant current regulators was approved for installation in the two new airport lighting vaults as part of the airport lighting system upgrades. Mr. Medlarz reported that the project was bid and two bids were received. The Engineering Department recommends award of the project to ADB Safegate Americas LLC, the lowest responsive bidder.

**M 517 17 Award Bid/ Airport Constant Current Regulators Project** A Motion was made by Mr. Arlett, seconded by Mr. Wilson, based on the recommendation of the Engineering Department, that the bid for Airport Constant Current Regulators (Project No. 18-08) be awarded to ADB Safegate Americas LLC of Columbus, Ohio, for the Base Bid plus Additive Bid B-2 for a total amount of \$57,978.62.

**Motion Adopted:** 5 Yeas.

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

**King Farm Boulevard Phase I/ Change Order** Hans Medlarz, County Engineer, reported that, in the course of the ongoing street design process for the remainder of the King Farm Industrial Park, Boulevard Phase I (Project No. 17-15), it became obvious that a better street layout was needed. He noted that, in order to accomplish this road realignment, AIC Building, LLC (Atlantis Industries), the legal leaseholder, would have to agree to modify the lease lines. If approved, the County will gain approximately one acre of additional leasable land worth approximately \$75,000. Mr. Medlarz reported that the contract with Melvin L. Joseph Construction Company, Inc. will need to be amended to allow for additional paving and another entrance for Lot 6; the Change Order for this work is in the amount of \$190,148.80 which will cover hot mix expenses.

**M 518 17 Approve Change Order/ King Farm Boulevard Phase I and MOU with AIC Building LLC** A Motion was made by Mr. Arlett, seconded by Mr. Burton, based upon the recommendation of the Engineering Department, that Change Order No. 4 for Contract 17-15, King Farm Industrial Park Boulevard, Phase 1, be approved increasing the contract amount by \$190,148.80 for a new total of \$527,896.80 contingent upon the execution of an administratively approved Memorandum of Understanding between Sussex County and AIC Building, LLC.

**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 2090**

**Under Old Business, the Council considered Conditional Use No. 2090 filed on behalf of Edgar Reyes Hernandez.**

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

**The County Council held a Public Hearing on this application on August 29, 2017 at which time action was deferred.**

**M 519 17  
Adopt  
Ordinance  
No. 2525/  
CU 2090**

**A Motion was made by Mr. Burton, seconded by Mr. Arlett, to Adopt Ordinance No. 2525 entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SHOP FOR PAINTING BUSINESS AND STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 1.4583 ACRES, MORE OR LESS” (Conditional Use No. 2090) filed on behalf of Edgar Reyes Hernandez, with the following conditions:**

- A. The use shall be limited to a shop for a painting business and storage. The storage shall only be used for materials directly associated with the painting business.**
- B. There shall be no retail sales from the property.**
- C. There shall not be any outside storage of paint, equipment or other materials associated with the use.**
- D. All lighting on the site shall be downward screened so that it does not shine on neighboring properties or roadways.**
- E. Any dumpsters on the site are to be screened from the view of neighboring properties and roadways.**
- F. The Applicant shall comply with all DelDOT requirements for entrance and roadway improvements.**
- G. The hours of operation shall be Monday through Saturday from 7:00 a.m. until 6:00 p.m. No deliveries to or from the site shall occur before 7:00 a.m.**
- H. Signage shall not exceed 32 square feet on each side and shall not be lighted.**
- I. All vehicle parking areas shall be clearly shown on the Final Site Plan and clearly marked on the site itself. All vehicles, including the Applicant’s vehicles and employees’ vehicles, must only be parked within the designated areas.**
- J. No more than 15 vehicles may be parked on the site at any one time.**
- K. The use shall be limited to the existing buildings on the site. Any new or expanded buildings shall require a new public hearing.**
- L. Failure to comply with any of these conditions shall be grounds for the termination of the Conditional Use approval.**
- M. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.**

**M 519 17  
(continued)**

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

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

**Old  
Business/  
CZ 1824**

**The Council discussed Change of Zone No. 1824 filed on behalf of Tomark, LLC.**

**The Planning and Zoning Commission held a Public Hearing on this application on July 13, 2017 at which time the Commission deferred action. On July 27, 2017, the Commission recommended that the application be approved.**

**The County Council held a Public Hearing on this application on August 22, 2017 at which time action was deferred. On that date, Council left the record open for any potential amendment by way of a deed for the portion of land accessing Jersey Road.**

**Janelle Cornwell, Director of Planning and Zoning, reported that, since August 22, 2017, the 20 foot strip of land has been deeded to a neighboring property and therefore, the application site no longer has access to Jersey Road.**

**M 520 17  
Adopt  
Ordinance  
No. 2526/  
CZ 1824**

**A Motion was made by Mr. Arlett, seconded by Mr. Wilson, to Adopt Ordinance No. 2526 entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 5.38 ACRES, MORE OR LESS" (Change of Zone No. 1824) filed on behalf of Tomark, LLC.**

**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 521 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Cole, seconded by Mr. Burton, to give \$500.00 (\$250.00 each from Mr. Cole's and Mr. Burton's Councilmanic Grant Accounts) to Clear Space Theatre for the Arts Institute Scholarship Program.**

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

**M 521 17  
(continued)**

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

**M 522 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to give \$500.00 (\$100.00 from each Councilmanic Grant Account) to the Marine Corps League for the Delaware Devil Dogs Detachment #780 for a community projects fundraiser.**

**Motion Adopted: 5 Yeas.**

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

**M 523 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Cole, seconded by Mr. Burton, to give \$1,000.00 (\$500.00 each from Mr. Burton's and Mr. Cole's Councilmanic Grant Accounts) to the Cape Henlopen Educational Foundation (CHEF) for classroom grants for materials or small projects.**

**Motion Adopted: 5 Yeas.**

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

**Action  
Deferred**

**Action was deferred on the grant request from the Cool Spring Civic Association.**

**M 524 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Burton, seconded by Mr. Cole, to give \$500.00 from Mr. Burton's Councilmanic Grant Account to the Pinetown Civic Association for heating of community center.**

**Motion Adopted: 5 Yeas.**

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

**M 525 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Burton, seconded by Mr. Cole, to give \$2,000.00 from Mr. Burton's Councilmanic Grant Account to the Greater Lewes Community Village for reduced fee memberships.**

**Motion Adopted: 5 Yeas.**

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

**M 526 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Wilson, seconded by Mr. Burton, to give \$3,000.00 from Mr. Vincent's Councilmanic Grant Account to the Nanticoke Senior Center to update their fire suppression system.**

**Motion Adopted: 5 Yeas.**

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

**M 527 17  
Council-  
manic  
Grant**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to give \$1,697.00 from Mr. Cole's Councilmanic Grant Account to the Delaware State College Alumni Association for Delaware State University Marching Band's performance in Rehoboth.**

**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. Wilson introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AN ELECTRICAL GENERATION AND NUTRIENT RECOVERY FACILITY TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 16.71 ACRES, MORE OR LESS" (Conditional Use No. 2113) filed on behalf of Clean Bay Renewables, LLC Sussex I (Tax I.D. No. 133-6.00-123.00 (portion of) (911 Address: Not Available).**

**Mr. Wilson introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A SOLAR ARRAY FARM TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 70.0 ACRES, MORE OR LESS" (Conditional Use No. 2114) filed on behalf of Spangler Strategic Advisers, LLC (Tax I.D. No. 133-6.00-123.00 (portion of) (911 Address: Not Available).**

**Mr. Cole introduced the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A MODIFICATION OF CONDITIONAL USE NO. 1018 TO ALLOW FOR AN ON-PREMISES ELECTRONIC MESSAGE CENTER SIGN TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 0.914 ACRES, MORE OR LESS" (Conditional Use No. 2115) filed on behalf of Nanticoke Indian Association, Inc. (Tax I.D. No. 234-29.00-53.00) (911 Address: 27073 John**

**Introduction  
of Proposed  
Zoning  
Ordinances  
(continued)**

**J. Williams Highway, Millsboro).**

**Mr. Burton introduced the Proposed Ordinance entitled “AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR PROFESSIONAL OFFICES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 0.641 ACRES, MORE OR LESS” (Conditional Use No. 2116) filed on behalf of William and Stacey Smith (Tax I.D. No. 335-8.18-2.00) (911 Address: 1501 Savannah Road, Lewes).**

**Council  
Members’  
Comments**

**Council Members' Comments**

**Mr. Cole read the following correspondence:**

**WEST REHOBOTH COMMUNITY LAND TRUST, REHOBOTH, DELAWARE.**

**RE: Letter in appreciation of grant.**

**HAL SOLOMON AND LISA TORRINI-LEARY, OCEAN VIEW, DELAWARE.**

**RE: Letter regarding the Estates of Fairway Village.**

**Mr. Arlett raised questions about the timeline and process for the proposed sports complex and he noted that he has questions as a result of the feedback received. Mr. Lawson stated that comments are being received via the County’s website and that the matter will be placed on an agenda in the very near future for discussion and a possible decision by Council.**

**M 528 17  
Adjourn**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to adjourn at 12:40 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](http://sussexcountyde.gov)

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

October 10, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
THE RESERVES - PHASE 4B  
AGREEMENT NO. 510 - 3

#### DEVELOPER:

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

#### LOCATION:

South of Route 26 and Woodland Ave.

#### SANITARY SEWER DISTRICT:

Ocean View Expansion of the Bethany Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

37 Single family lots.

#### SYSTEM CONNECTION CHARGES:

\$213,675.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
06/02/05

Department of Natural Resources Plan Approval  
07/29/02

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90

Construction Admin and Construction Inspection Cost – \$25,951.80

Proposed Construction Cost – \$173,012.00



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



## ENGINEERING DEPARTMENT

ADMINISTRATION	(302) 855-7718
AIRPORT & INDUSTRIAL PARK	(302) 855-7774
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

October 12, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
COASTAL CLUB - LAND BAY 3 - PHASE B (CONSTRUCTION RECORD)  
AGREEMENT NO. 984 - 17

#### DEVELOPER:

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

#### LOCATION:

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

#### SANITARY SEWER DISTRICT:

Goslee Creek Planning Area

#### TYPE AND SIZE DEVELOPMENT:

44 Single Family Lots

#### SYSTEM CONNECTION CHARGES:

\$254,100.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
07/07/16

Department of Natural Resources Plan Approval  
10/03/16

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90  
Construction Admin and Construction Inspection Cost – \$14,915.25  
Proposed Construction Cost – \$99,435.00



## 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



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HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

October 13, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
PENINSULA LAKES - PHASE 7A (CONSTRUCTION RECORD)  
AGREEMENT NO. 558 - 12

#### DEVELOPER:

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

#### LOCATION:

Bay Farm Road and Legion Road

#### SANITARY SEWER DISTRICT:

Long Neck Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

29 single family lots

#### SYSTEM CONNECTION CHARGES:

\$167,475.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
07/20/15

Department of Natural Resources Plan Approval  
04/01/14

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90

Construction Admin and Construction Inspection Cost – \$17,669.33

Proposed Construction Cost – \$117,795.50



## 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

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

HANS M. MEDLARZ, P.E.  
COUNTY ENGINEER

BRAD HAWKES  
DIRECTOR OF UTILITY ENGINEERING

October 13, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
PENINSULA LAKES - PHASE 7B (PS#2&FM)  
AGREEMENT NO. 558 - 13

#### DEVELOPER:

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

#### LOCATION:

Bay Farm Road and Legion Road

#### SANITARY SEWER DISTRICT:

Long Neck Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

Pump station and force main.

#### SYSTEM CONNECTION CHARGES:

\$0.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
07/20/15

Department of Natural Resources Plan Approval  
04/01/14

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 270

Construction Admin and Construction Inspection Cost – \$51,676.43

Proposed Construction Cost – \$344,509.50



## 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

October 13, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
MARSH ISLAND - PS & FM  
AGREEMENT NO. 940 - 1

#### DEVELOPER:

Jim Underhill  
Marsh Island Partners, LLC  
1813 Hoban Road, NW  
Washington, DC 20007

#### LOCATION:

CR 279, ½ mile South of RT 24

#### SANITARY SEWER DISTRICT:

Angola Neck 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  
04/04/17

Department of Natural Resources Plan Approval  
04/12/17

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 270  
Construction Admin and Construction Inspection Cost – \$49,251.75  
Proposed Construction Cost – \$328,345.00



## 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

October 13, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
MARSH ISLAND - - PHASE 1A (CONSTRUCTION RECORD)  
AGREEMENT NO. 940 - 2

#### DEVELOPER:

Jim Underhill  
Marsh Island Partners, LLC  
1813 Hoban Road, NW  
Washington, DC 20007

#### LOCATION:

CR 279, ½ mile South of RT 24

#### SANITARY SEWER DISTRICT:

Angola Neck Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

49 Single Family Lots.

#### SYSTEM CONNECTION CHARGES:

\$282,975.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
04/04/17

Department of Natural Resources Plan Approval  
04/12/17

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 90  
Construction Admin and Construction Inspection Cost – \$32,414.63  
Proposed Construction Cost – \$216,097.50



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

**PRATT ANNEXATION**  
**FACT SHEET**

- Permission to prepare and post notices for an expansion of the Sussex County Unified Sanitary Sewer District (Bay View Estates Area) was granted on September 26<sup>th</sup>, 2017.
- The owner of Parcel 533-19.00-56.00 has requested annexation.
- The owner is demolishing existing cottage and building a new residence.
- The parcel is adjacent to our sewer district and the Engineering Department has planned capacity for the parcel.
- A lateral was installed for the parcel as part of a previous project.
- The project will be responsible for System Connection Charges in place at the time of connection.
- The parcel was posted on October 6, 2017.
- To date we have had no responses to the posting neither in support or opposed.

## RESOLUTION

A RESOLUTION TO EXTEND THE BOUNDARY OF THE SUSSEX COUNTY UNIFIED SANITARY SEWER DISTRICT (SCUSSD) BAY VIEW ESTATES AREA, TO INCLUDE A PARCEL OF LAND (533-19.00-56.00) ALONG THE EAST SIDE OF WILLIAMSVILLE 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 Williamsville 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 east side of Williamsville Road;

**Beginning** at a point, said point being the northerly property corner of lands N/F Vincent Gregory Sr. & Cynthia S. Omundson, said point also being on the Sussex County Unified Sanitary Sewer District (SCUSSD) Boundary, Bay View Estates Area, said point further being on the southerly ROW of Williamsville Rd. (CR 395); thence proceeding by and with said SCUSSD boundary in a southeasterly, northeasterly and northwesterly direction a distance of 520' +/- to a point, said point being the northernmost property corner of lands N/F Katherine Dorothy & Michale L. Sekscinski, said point also being the easternmost property corner of lands N/F of Howard E. & Therada Brunner; thence leaving said SCUSSD boundary and proceeding by and with said Sekscinski and Brunner lands in a southwesterly direction a distance of 180' +/- to a point, said point being on the northerly ROW of Williamsville Road (CR 395); thence proceeding across said Williamsville Road in a southwesterly direction a distance of 50' +/- to a point, said point being on the southerly ROW of Williamsville Road (CR 395); thence proceeding by and with said ROW in a southeasterly direction a distance of 38' +/- to a point, said point being that of the **BEGINNING**.

NOTE: The above description has been prepared using Sussex County Tax Map 533-19.00 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.



PROPOSED PRATT EXPANSION  
AFFIDAVIT FOR PUBLIC HEARING

STATE OF DELAWARE )( :  
COUNTY OF SUSSEX )(

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

- A. On October 6, 2017 he was a Utility Planner for the Sussex County Engineering Department, Sussex County, State of Delaware; and
- B. On October 6, 2017 he did post the attached "Public Notice," prepared by the Sussex County Engineering Department, at the following locations:
  - 1. On a post near Verizon Ped. EC151/10 125' +/- east of Candleberry Drive in the easterly ROW of Williamsville Road (CR 395),
  - 2. On a post beside the 20 MPH sign at the entrance of Bayview Blvd.,
  - 3. On a post in front of DEC Pole 27198 in the westerly ROW of Williamsville Road (CR 395),
  - 4. On a post on the site of the expansion 130' +/- northeast of Brinker Mansion Road,
  - 5. On a post in front of DP&L Pole 60259/96555 112' +/- southeast of Lighthouse Road (Rt. 54) in the easterly ROW of Williamsville Road,
  - 6. On a post in front of DP&L Pole 60328/96612 in the southerly ROW of Lighthouse Road (Rt. 54).

  
PHILLIP C. CALIO

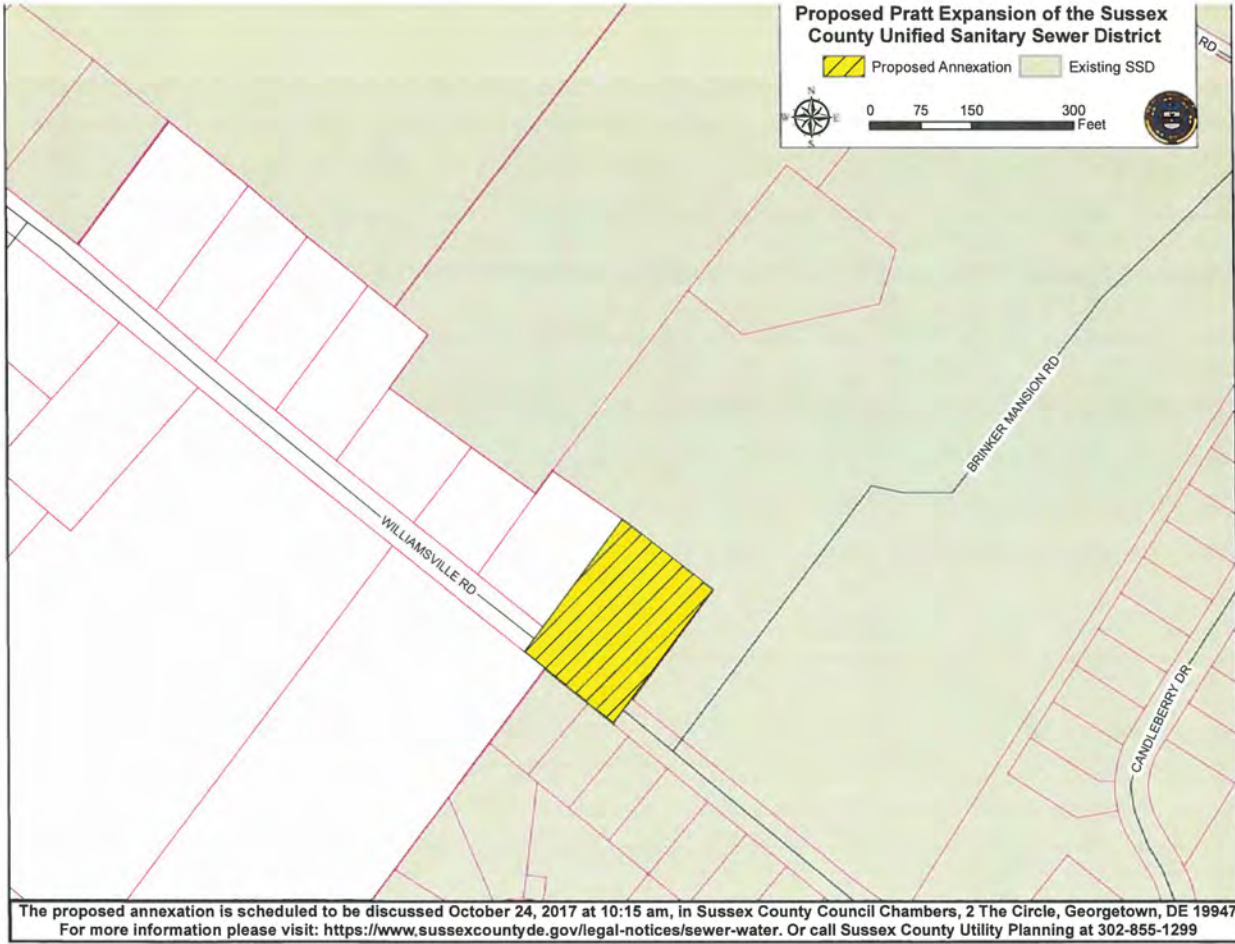
SWORN TO AND SUBSCRIBED before me on this 9 day of 2018  
A.D., 2017

  
NOTARY PUBLIC

SHARON E. SMITH  
NOTARY PUBLIC  
STATE OF DELAWARE  
My Commission Expires on July 14, 2018

My Commission Expires

July 14, 2018



GINA A. JENNINGS, MBA, MPA  
FINANCE DIRECTOR

(302) 855-7741 T  
(302) 855-7749 F  
gjennings@sussexcountype.gov



**Sussex County**

DELAWARE  
sussexcountype.gov

MEMORANDUM:

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

FROM: Gina A. Jennings  
Finance Director/Chief Operating Officer

RE: **FY2018 HUMAN SERVICE GRANTS**

DATE: October 20, 2017

---

Attached is a schedule of the FY2018 Human Service Grants, as well as an overview of the program. On Tuesday, I will be recommending to Council that we approve those grants listed for payment.

Please call me if you would like to discuss further.

Attachments

pc: Todd F. Lawson

Name of Organization	Project	Last Year's Grant	Grant Request	Recommended Grant
Abbott's Mill Nature Center of the Delaware Nature Society	Delaware Nature Society's "New To Nature" Program	2,000	\$ 3,000	2,250
Advanced Directive	Case Management Outreach for Homebound Seniors	-	\$ 10,500	1,750
Agape Love Transitional Home	Operational Costs for women's shelter	1,250	\$ 5,000	2,310
Alzheimer's Association Delaware Valley Chapter	Dementia-Specific Caregiver Support Services	1,250	\$ 2,000	1,500
American Legion Auxiliary, Department of Delaware	American Legion Auxiliary Delaware Girls State	1,000	\$ 1,000	1,000
Arc of Delaware	Outreach program for individuals with intellectual disabilities	1,000	\$ 5,000	2,030
ARK Educational Consulting, Inc.	The ARK Educational Resource Center	1,500	\$ 5,000	1,510
Barbara K. Brooks Transition House, Inc.	Transitional housing for women	1,500	\$ 3,000	1,750
Best Buddies International, Inc.	Program for people with intellectual and developmental disabilities	1,000	\$ 5,000	1,770
Big Brothers Big Sisters of Delaware, Inc.	Mentoring program for at-risk youth	1,775	\$ 2,000	1,775
Boys & Girls Clubs of Delaware at Dagsboro	Power Hour	1,550	\$ 5,000	1,820
Boys & Girls Clubs of Delaware at Laurel	Power Hour	1,550	\$ 5,000	1,820
Boys & Girls Clubs of Delaware at Oak Orchard/Riverdale	Power Hour	1,550	\$ 5,000	1,820
Boys and Girls Clubs of Delaware at Georgetown	Power Hour	1,550	\$ 5,000	1,820
Boys and Girls Clubs of Delaware at Rehoboth	Power Hour	1,550	\$ 5,000	1,820
Boys and Girls Clubs of Delaware at Western Sussex	Power Hour	1,550	\$ 5,000	1,820
Bridgeville Senior Citizens Center Inc.	Nutrition Program	5,000	\$ 19,150	5,500
Cancer Support Community Delaware	Cancer support services for individuals over 65	1,000	\$ 2,500	2,500
Cape Henlopen Senior Center, Inc.	Purchase additional fitness equipment in their facility	5,000	\$ 6,867	5,500
Catholic Charities, Inc.	Transportation services for clients attending Casa San Francisco	2,500	\$ 5,000	2,040
Cheer, Inc.	Cheer at Lewes	5,000	\$ 20,000	5,500
Cheer, Inc.	Cheer at Georgetown	5,000	\$ 20,000	5,500
Cheer, Inc.	Cheer at Greenwood	5,000	\$ 20,000	5,500
Cheer, Inc.	Cheer at Milton	5,000	\$ 20,000	5,500
Cheer, Inc.	Cheer at Ocean View	5,000	\$ 20,000	5,500
Cheer, Inc.	Cheer at Roxana	5,000	\$ 20,000	5,500
Cheer, Inc.	Cheer at Long Neck	5,000	\$ 20,000	5,500
Church of God and Saints of Christ	Thanksgiving dinner for those in need	2,500	\$ 2,600	2,600
City of Refuge Church	Starting Over transitional house for men	-	\$ 2,000	1,500
Clothing Our Kids	Clothing purchases	2,500	\$ 2,775	2,775
Community Intergrated Services	Employment services for adults and youth with disabilities	-	\$ 7,563	1,545
Community Resource Center	Cold weather shelter	-	\$ 4,000	1,770
Delaware Adolescent Program, Inc. (DAPI)	Ready for Tomorrow program that helps teen mothers	1,500	\$ 3,000	2,030
Delaware Center for Homeless Veterans, Inc.	Veteran housing support services	1,500	\$ 10,000	2,310
Delaware Community Reinvestment Action Council, Inc.	Low income tax clinic	1,000	\$ 1,000	1,000
Delaware Crime Stoppers	Crime Reduction Program	2,500	\$ 2,500	2,500
Delaware Ecumenical Council on Children and Family	Volunteer caregivers for Sussex County elderly	-	\$ 2,500	1,000
Delaware Financial Literacy Institute	Financial literacy program	3,050	\$ 5,000	2,540
Delaware Guidance Services for Children and Youth, Inc.	Psychiatric services for at-risk children and families	1,500	\$ 2,000	2,000
Delaware Helpline, Inc.	Delaware 2-1-1 Diaper Project	2,500	\$ 4,000	2,250
Delaware Hospice, Inc.	Transitions Program	2,025	\$ 3,000	2,590
Delaware Lions Foundation, Inc.	Grants for humanitarian projects	2,500	\$ 3,500	2,310
Delmarva Clergy United In Social Action Foundation	Griffin's Place - transitional housing	750	\$ 5,000	775
DFRC Inc.	DFRC Blue-Gold Hand-in-Hand Program	1,775	\$ 5,000	2,590
Down Syndrome Association of Delaware	Summer camp	-	\$ 3,000	1,500
Easter Seals Delaware & Maryland's Eastern Shore	Day program for intellectually challenged adults	1,000	\$ 1,000	1,000
Everlasting Hope Ministries	Tony's House - transitional and homeless housing	1,000	\$ 5,000	1,770
Food Bank of Delaware	Mobile Community Nutrition Program	1,775	\$ 15,000	3,650
Harry K Foundation	Halt Hunger Program	2,500	\$ 2,500	2,500
Indian River Senior Center, Inc.	Maintenance and care of facility	5,000	\$ 6,610	5,500
ITN Southern Delaware	Senior transportation	3,025	\$ 5,000	3,120
Jefferson Awards Foundation	Sussex County student leadership conference at University of Delaware	1,700	\$ 1,700	1,500
Junior Achievement of Delaware, Inc.	Junior Achievement for K-12 students in Sussex County	2,525	\$ 3,000	2,750
Just a Hands Up Community Navigation Association	Storage shed to store donated items that support their mission	-	\$ 2,000	1,750
Kent Sussex Community Services, Inc. (KSCS)	Improving Opiate Treatment Services	2,525	\$ 30,000	3,650
Kent-Sussex Industries, Inc.	Transportation for employment	1,775	\$ 4,000	2,310

## FY2018 Human Service Grants

Name of Organization	Project	Last Year's Grant	Grant Request	Recommended Grant
La Esperanza	Immigration program	2,250	\$ 10,000	3,425
La Red Health Center, INC.	Linkage Program to provide health services to the underserved	3,050	\$ 5,000	2,310
Laurel Lions Club Foundation, Inc.	Laurel Lions Club Recreation	1,000	\$ 1,000	1,000
Laurel Senior Center, Inc.	Meal Program	5,000	\$ 8,000	5,500
Lewes Historical Society	Education of Lewes	2,500	\$ 2,500	2,500
Lewes Senior Citizens Center, Inc.	Building expansion	5,000	\$ 50,000	5,500
Mental Health Association of Delaware	Community education for youth mental health and suicide prevention	1,775	\$ 5,000	2,310
Mid-Atlantic Symphony Orchestra	Concert series	750	\$ 1,500	1,500
Milford Housing Development Corporation	Self-help housing program	-	\$ 10,000	1,525
Milford Senior Center, Inc.	Building & Maintenance	5,000	\$ 10,000	5,500
Nanticoke Senior Center, Inc.	Homebound meals program	5,000	\$ 12,000	5,500
NCALL Reasearch, Inc.	Affordable housing services	-	\$ 10,000	3,650
New Hope Recreation and Development Center	After-school program	800	\$ 1,000	1,000
Ocean View Historical Society	Student outreach workshops	-	\$ 1,000	1,000
People's Place II, Inc.	Domestic violence shelter	1,000	\$ 2,000	1,250
Primeros Pasos Inc.	Learning Center	1,250	\$ 2,500	1,500
Read Aloud Delaware	Early childhood reading program	2,000	\$ 2,000	2,000
Richard Allen Coalition, Inc.	Carpet replacement	750	\$ 5,000	1,770
Ronald McDonald House of Delaware	Housing Program for Sussex County Families	3,050	\$ 3,500	3,500
Shechinah Empowerment Center	Food bank	1,000	\$ 1,000	1,000
Southern DE Therapeutic & Recreational Horseback Riding	Scholarship for Sussex County residents in need	1,500	\$ 2,500	2,040
Survivors of Abuse in Recovery, Inc.	Sexual assault recovery services	-	\$ 15,000	2,310
Sussex County Habitat for Humanity, Inc.	Family Empowerment Program	1,500	\$ 10,000	2,085
Sussex County RSVP 50 Plus Advisory Council	Nimble Fingers	1,500	\$ 1,400	1,400
Sussex Family YMCA	Summer camp	1,775	\$ 5,000	2,310
United Way	My Very Own Library	3,050	\$ 10,000	3,120
Veterans Reentry Resources Alliance, Inc.	Veterans Service Unit	1,775	\$ 15,000	2,310
Way Home, Inc.	Case management program	2,000	\$ 10,000	2,830
West Side New Beginnings, Inc.	Youth Program	1,000	\$ 2,000	775
What is Your Voice, Inc.	Domestic violence care	-	\$ 5,000	1,770
YWCA Delaware	Youth Empowerment Program	2,000	\$ 4,000	3,120
			\$ 612,165	225,000



# Sussex County Human Service Grant Program

Fiscal Year 2018

# Human Service Grant Purpose

Grants to countywide non-profit agencies for the purpose of 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.



# Process

- Organizations submitted application online
- Finance reviewed
  - Non-profit status
  - Scope of request
- Legal reviewed religious affiliated organizations
- Finance created a formula, based on number of beneficiaries and need, to best utilize the grant funds





# Formula to Distribute (Budget of \$225,000)

Sussex County Beneficiary Criteria	Base Grant Amount	Additional Amount if need is greater than \$5,000	Additional Amount if need is greater than \$10,000	Additional Amount if need is greater than \$15,000	Maximum Grant Amount
Less than 50 Beneficiaries	\$1,000	\$250	\$250	\$250	\$1,750
51 to 99 Beneficiaries	\$1,250	\$260	\$260	\$260	\$2,030
100 to 249 Beneficiaries	\$1,500	\$270	\$270	\$270	\$2,310
250 to 499 Beneficiaries	\$1,750	\$280	\$280	\$280	\$2,590
500 to 999 Beneficiaries	\$2,250	\$290	\$290	\$290	\$3,120
1,000 or more Beneficiaries	\$2,750	\$300	\$300	\$300	\$3,650

All organizations were capped at their demonstrated need and request	
All Boys & Girls Clubs	\$1,820
All CHEER & Senior Centers	\$5,500

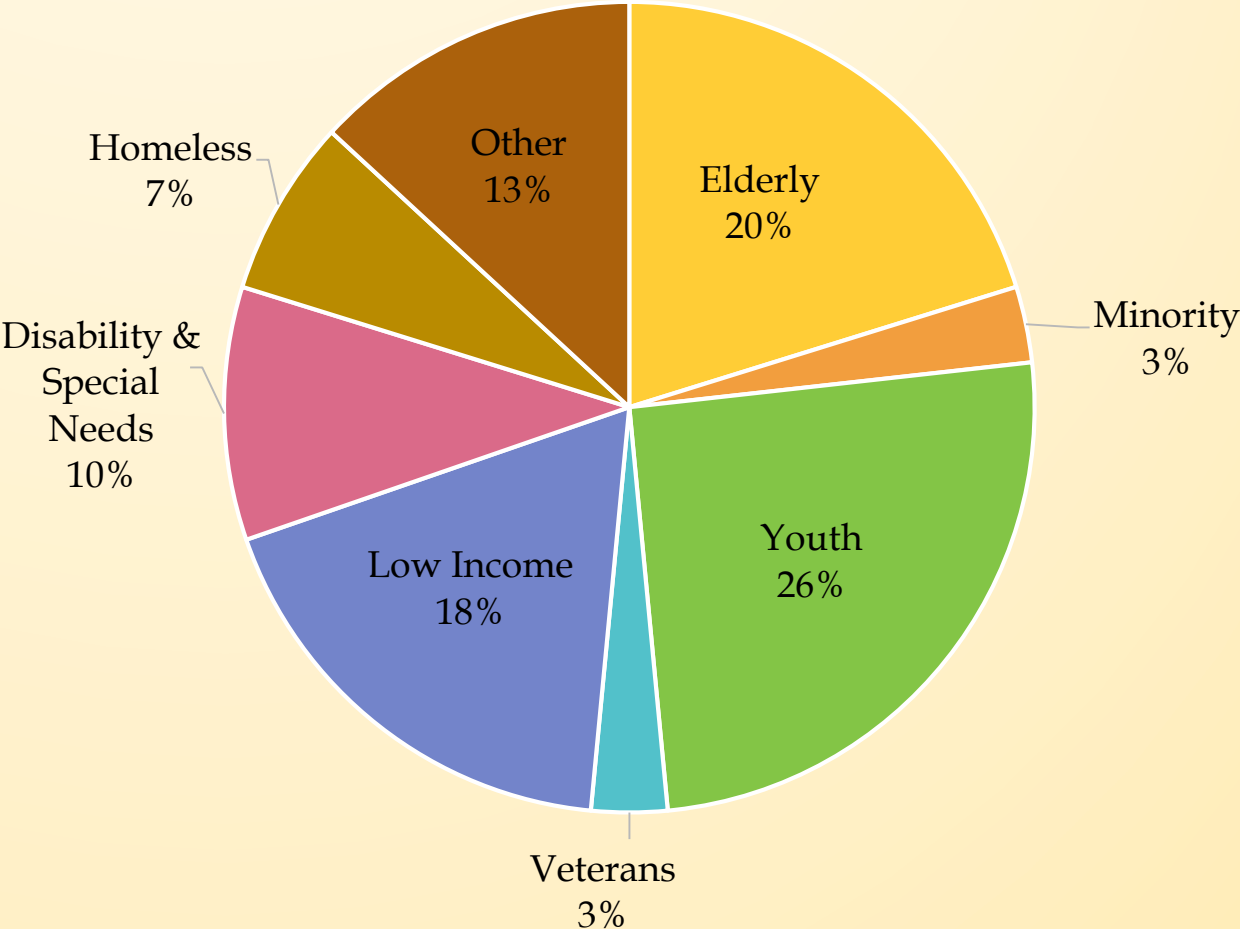
If another County grant was awarded within the last 12 months, \$250 was subtracted from the eligible amount



# Application Statistics

- Received \$612,000 in requests from 87 qualified organizations
- 12 new organizations
- 129,529 Sussex County beneficiaries
- Organizations raise approximately \$8.1 million of other types of support for these projects

Type of Beneficiaries



# Fiscal Year 2018 Recipients

Abbott's Mill Nature Center of the Delaware Nature Society  
 Advanced Directive  
 Agape Love Transitional Home  
 Alzheimer's Association Delaware Valley Chapter  
 American Legion Auxiliary, Department of Delaware Arc of Delaware  
 ARK Educational Consulting, Inc.  
 Barbara K. Brooks Transition House, Inc.  
 Best Buddies International, Inc.  
 Big Brothers Big Sisters of Delaware, Inc.  
 Boys & Girls Clubs of Delaware at Dagsboro  
 Boys & Girls Clubs of Delaware at Laurel  
 Boys & Girls Clubs of Delaware at OO/Riverdale  
 Boys and Girls Clubs of Delaware at Georgetown  
 Boys and Girls Clubs of Delaware at Rehoboth  
 Boys and Girls Clubs of Delaware at Western Sussex  
 Bridgeville Senior Citizens Center Inc.  
 Cancer Support Community Delaware  
 Cape Henlopen Senior Center, Inc.  
 Catholic Charities, Inc.  
 Cheer, Inc.  
 Cheer, Inc.  
 Cheer, Inc.  
 Cheer, Inc.  
 Cheer, Inc.  
 Cheer, Inc.  
 Cheer, Inc.  
 Church of God and Saints of Christ  
 City of Refuge Church

Clothing Our Kids  
 Community Intergrated Services  
 Community Resource Center  
 Delaware Adolescent Program, Inc. (DAPI)  
 Delaware Center for Homeless Veterans, Inc.  
 Delaware Community Reinvestment Action Council, Inc.  
 Delaware Crime Stoppers  
 Delaware Ecumenical Council on Children and Family  
 Delaware Financial Literacy Institute  
 Delaware Guidance Services for Children and Youth, Inc.  
 Delaware Helpline, Inc.  
 Delaware Hospice, Inc.  
 Delaware Lions Foundation, Inc.  
 Delmarva Clergy United In Social Action Foundation  
 DFRC Inc.  
 Down Syndrome Association of Delaware  
 Easter Seals Delaware & Maryland's Eastern Shore  
 Everlasting Hope Ministries  
 Food Bank of Delaware  
 Harry K Foundation  
 Indian River Senior Center, Inc.  
 ITN Southern Delaware  
 Jefferson Awards Foundation  
 Junior Achievement of Delaware, Inc.  
 Just a Hands Up Community Navigation Association  
 Kent Sussex Community Services, Inc. (KSCS)  
 Kent-Sussex Industries, Inc.  
 La Esperanza  
 La Red Health Center, INC.

Laurel Lions Club Foundation, Inc.  
 Laurel Senior Center, Inc.  
 Lewes Historical Society  
 Lewes Senior Citizens Center, Inc.  
 Mental Health Association of Delaware  
 Mid-Atlantic Symphony Orchestra  
 Milford Housing Development Corporation  
 Milford Senior Center, Inc.  
 Nanticoke Senior Center, Inc.  
 NCALL Reasearch, Inc.  
 New Hope Recreation and Development Center  
 Ocean View Historical Society  
 People's Place II, Inc.  
 Primeros Pasos Inc.  
 Read Aloud Delaware  
 Richard Allen Coalition, Inc.  
 Ronald McDonald House of Delaware  
 Shechinah Empowerment Center  
 Southern Delaware Therapeutic and Recreational Horseback Riding, Inc.  
 Survivors of Abuse in Recovery, Inc.  
 Sussex County Habitat for Humanity, Inc.  
 Sussex County RSVP 50 Plus Advisory Council  
 Sussex Family YMCA  
 United Way  
 Veterans Reentry Resources Alliance, Inc.  
 Way Home, Inc.  
 West Side New Beginnings, Inc.  
 What is Your Voice, Inc.  
 YWCA Delaware

# Motion

Be it moved that the Sussex County Council, approve the Fiscal Year 2018 Human Service Grant allocation as presented.



**Draft Ordinance**

**ORDINANCE NO. \_\_**

**AN ORDINANCE RELATING TO THE PROMOTION OF ECONOMIC DEVELOPMENT AND COMMERCE BY REGULATION OF CERTAIN INVOLUNTARY PAYMENTS REQUIRED OF EMPLOYEES IN SUSSEX COUNTY**

**WHEREAS**, pursuant to Title 9 Section 7001(a) of the Delaware Code the Delaware General Assembly has granted to Sussex County all of the powers of the State that are not specifically prohibited by statute;

**WHEREAS**, it is the intent of this Ordinance to provide that no employee covered by the National Labor Relations Act be required to join or pay dues to a union, or refrain from joining a union, as a condition of employment;

**WHEREAS**, the County Council desires to promote economic development and worker freedom within all of Sussex County, directly and in cooperation with public and private entities promoting Sussex County and its resources, its people, and its many geographical and cultural advantages;

**WHEREAS**, Sussex County and its residents compete for the expansion of employment opportunities with other cities, counties, and states (including states such as Michigan, Kentucky, Indiana, and a majority of the other states in the U.S.) whose citizens benefit from the protection under similar right to work legislation, and Sussex County desires to compete on a level playing field with other cities, counties, and states that have enacted such right to work legislation;

**WHEREAS**, the County Council believes that right to work legislation is not “anti-union” legislation, but actually could lead to a healthier, more robust unions who freely compete for employee membership; and

**WHEREAS**, the County Council of Sussex County hereby finds and determines that it is in the best interest of the citizens of Sussex County to promote and encourage direct commerce for the protection and convenience of the public, by giving employees freedom to choose employment without restraint or coercion regarding the payment of mandatory dues, fees, or other payments to a labor organization as a condition of that employment; and

**WHEREAS**, the County Council believes that the goals of the foregoing can be furthered through the passage of this Ordinance and amending the County Code as provided for herein;

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

**Section 1. Declaration of public policy.** It is hereby declared to be the public policy of Sussex County in order to ensure individual freedom of choice in the pursuit of employment, for the protection and convenience of its citizens who desire the broadest choice of employment opportunities, to permit its citizens to choose to increase their real take home pay by decreasing mandatory payroll deductions in order to stimulate savings and economic growth, and to

encourage an employment climate conducive to the economic development of Sussex County, including recruiting new businesses to Sussex County, that the right to work shall not be subject to undue restraint or coercion. The right to work shall not be infringed or restricted in any way based on membership in, affiliation with, or financial support of a labor organization.

**Section 2. Terms.** The terms “employee,” “employer,” “labor organization,” and “person” as used in this chapter shall have the same meanings as defined by the National Labor Relations Act.

**Section 3. Freedom of choice guaranteed, discrimination prohibited.** No person covered by the National Labor Relations Act in Sussex County shall be required as a condition of employment or continuation of employment:

- (a) to resign or refrain from voluntary membership in, voluntary affiliation with, or voluntary financial support of a labor organization;
- (b) to become or remain a member of a labor organization;
- (c) to pay any dues, fees, assessments or other charges of any kind or amount to a labor organization;
- (d) to pay to any charity or other third party, in lieu of such payments, any amount equivalent to or a pro-rata portion of dues, fees, assessments or other charges regularly required of members of a labor organization.

**Section 4. Voluntary deductions protected.** It shall be unlawful to deduct from the wages, earnings, or compensation of an employee any union dues, fees, assessments, or other charges to be held for, transferred to, or paid over to a labor organization, unless the employee has first presented, and the employer has received, a signed written authorization of such deductions, which authorization may be revoked by the employee at any time by giving written notice of such revocation to the employer, with the following exception:

1. If the card on its face clearly states that it is irrevocable for a period of up to one year after its effective date, that shall be the maximum period of time an employee is prohibited from ceasing payroll deductions;
2. Notwithstanding the foregoing, an employee’s express choice to revoke his authorization is to be given effect as soon as the period of irrevocability passes.

**Section 5. Agreements in violation, and actions to induce such agreements, declared illegal.** Any agreement, understanding or practice, written or oral, implied or expressed, between any labor organization and employer that violates the rights of employees as guaranteed by provisions of this chapter is hereby declared unlawful, null and void and of no legal force or effect.

**Section 6. Coercion and intimidation prohibited.** It shall be unlawful for any person, labor organization or officer, agent or member thereof, or employer, or officer thereof, by any threatened or actual intimidation of an employee or prospective employee, or an employee’s or prospective employee’s parents, spouse, children, grandchildren or any other persons residing in

the employee's or prospective employee's home , or by any damage or threatened damage to an employee's or prospective employee's property, to compel or attempt to compel such employee to join, affiliate with or financially support a labor organization or to refrain from doing so, or otherwise to forfeit any rights as guaranteed by provisions of this chapter. It shall also be unlawful to cause or attempt to cause an employee to be denied employment or discharged from employment because of support or nonsupport of a labor organization by inducing or attempting to induce any other person to refuse to work with such employees.

**Section 7. Penalties.**

A. Any person who shall violate a provision of this chapter or any of its subsections and/or fails to comply with any notice of violation shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of \$250 for the first conviction; \$500 for the second conviction; \$1,000 for the third conviction; and for the fourth and any subsequent conviction of the same violation that has still not been corrected, the fine for such conviction shall be \$2,500. The fines specified herein for the second through fourth convictions shall not be suspended. Upon conviction of a first violation of this chapter, the court may order the defendant to correct the violation by a certain date, not to exceed 10 days from the date of the conviction. Jurisdiction over the enforcement of this provision shall be in the Justice of the Peace Courts of the State of Delaware.

B. In addition to prosecuting a violator in the Justice of the Peace Courts, the prosecuting County employee is authorized, but is not required, to institute appropriate proceedings at law or in equity to restrain, correct, abate or enjoin a violation or to require the removal of the offending condition at the expense of the person who is found to be in violation of these provisions. If the County prevails, the Court shall order the violator to pay the County's reasonable attorney's fees and costs of the action.

C. The penalties set forth in this section shall not affect the County's right to also recover expenses incurred pursuant to this chapter.

**Section 8. Civil remedies.** Any individual harmed as a result of any violation or threatened violation of the provisions of this chapter shall have the right to pursue in a court of competent jurisdiction a civil cause of action to enjoin further violations and to recover the damages sustained, together with the cost of the lawsuit, including reasonable attorneys' fees. Such remedies shall be independent of and in addition to the penalties and remedies prescribed in other provisions of this chapter.

**Section 9. Duty to investigate.** It shall be the duty of the County Administrator, or his/her designee, to investigate complaints of violation or threatened violations of this chapter and to take all means at his/her command to ensure the effective enforcement of this chapter.

**Section 10. Prospective application.** The provisions of this chapter shall apply to all contracts entered into after the effective date of this chapter by employers or labor organizations covering employees within this County and shall apply to any renewal or extension of any such contract.

**Section 11. Severability.** If any provision of this chapter, or application thereof to any person, entity or circumstances, shall be invalid or unenforceable to any extent, the remainder of this chapter, and the application of such provision to other persons, entities or circumstances, shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

**Section 12. When effective.** This chapter shall take effect immediately upon its adoption by majority vote of all members of the County Council of Sussex County, Delaware.

**Section 13. Inclusion of provisions in County Code.** The provisions of §§ 1 through 12 of this Ordinance are hereby made Chapter 117 of the Code of Sussex County, and the sections shall be number §§ 117-1 through 117-12.

**I DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE ORDINANCE NO. \_\_ ADOPTED BY THE SUSSEX COUNTY COUNCIL ON THE \_\_ DAY OF \_\_ 2017.**

**CLERK OF THE COUNCIL**





# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: MASON DREW WOODWORKERS, Inc  
PROJECT NAME: CHRISTMAS TOY PROGRAM  
FEDERAL TAX ID: 16-1677-546 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: PO Box 103  
Delmar DE 19940  
(CITY) (STATE) (ZIP)

CONTACT PERSON: Patrick Lemley  
TITLE: FUND RAISING CHAIRMAN  
PHONE: 410-334-0285 C EMAIL: DPLEMLEY@GMAIL.COM  
410-742-3863 H

### TOTAL FUNDING REQUEST:

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

If YES, how much was received in the last 12 months? LESS YEAR DONATION RECEIVED IN NOV 2016 ~~1,100~~ 4,100

If you are asking for funding for building or building improvements, do you own the building in which the funding will be used for? N/A  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? 7%

## 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 <sup>1</sup> | <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 checked="" type="checkbox"/> Low to Moderate Income <sup>2</sup> | <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:

780

## 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.

SEE ATTACHED LETTER & LIST OF  
BENEFICIARIES

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.

NA

### SECTION 4: BUDGET

<b>REVENUE</b>	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
<b>TOTAL REVENUES</b>	15,000 +/-
<b>EXPENDITURES</b>	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. <b>(Put amounts in as a negative)</b>	
	15,000 +/-
<b>TOTAL EXPENDITURES</b>	\$ 0.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	\$ 0.00

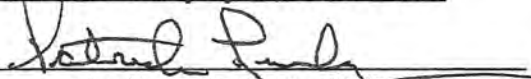
### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Mason Dixon Woodworkers Inc agrees that:  
 (Name of Organization)

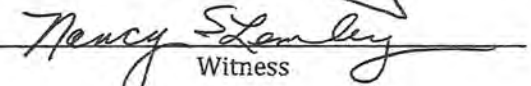
- 1) For non-religious organizations, all expenditures must have adequate documentation and must be expended within one (1) year of receipt of award funds. The funding awarded to the organization must be used in substantial conformity with the anticipated expenditures set forth in the submitted application.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

  
Applicant/Authorized Official

10-11-2017  
Date

  
Witness

10/11/2017  
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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



September 1, 2017

ATTN: Sam Wilson  
Sussex County Council  
PO Box 589, 2 The Circle  
Georgetown, DE 19947



P.O. Box 103, Delmar, DE. 19940  
501 C-(3) Tax Exempt Organization, #16-1697546

Dear Sam,

**The Mason Dixon Woodworkers is very appreciative of your past support to our annual charitable outreach program of making toys for needy children. The children really appreciate the toys also!**

Our dedicated toy makers have been crafting toys for almost 2 decades and are on target for finishing up another 1300 toys for distribution to the organizations listed on the next page. These organizations will in turn be redistributing the toys to children who might not otherwise receive toys for Christmas.

This year our production costs have remained low at about \$10.00 per toy. The finished products are quite nice and have an average retail value of at least \$25 each. We conservatively estimate the total value of the 1300 toys produced this year to be at least \$32,500. We are able to maintain this low cost and good value because of our volunteer staff of wood workers, donated material, and careful shopping. We are hopeful that you will be able to help us again this year by financially supporting our fundraising effort for 2017/2018.

We have already started buying and accumulating material and supplies for 2018.

Several of our sponsors, over the past several years have made tax deductible contributions of \$200 to \$1,500 in support of our program. A tax deductible donation of \$500 is sufficient for us to produce approximately 500 toys with a value of approximately \$2000. Of course, a donation of any amount would be greatly appreciated, not only by our organization, but by the many children on the lower shore area that receive the toys.

Donations made by check should be made payable to the **Mason Dixon Woodworkers** and forwarded in the enclosed envelope.

Sincerely,

A handwritten signature in blue ink that appears to read "Pat".

Patrick Lemley  
Chairman, Fund Raising  
Phone: 410-742-3863  
E-mail: [dplemley@gmail.com](mailto:dplemley@gmail.com)



## Organizations that received our toys for distribution in 2016

1. Adopt A Family, Milford, DE
2. Agape Tabernacle Ministries, Salisbury, MD
3. Baptist Toy Ministry, Salisbury, MD
4. Beacon of Light Community Svc, Salisbury, MD
5. Believe in Tomorrow, Ocean City, MD
6. Blind Industries, Salisbury, MD
7. Country Christian Church, Federalsburg, MD
8. Cross Pointe Church, Salisbury, MD
9. Diakonia, Inc. Ocean City, MD
10. Elks Lodge #2458, Seaford, DE
11. Fraternal Order of Eagles, Salisbury, MD
12. Good Samaritan, Laurel, DE
13. Holy Redeemer, Delmar, DE
14. Joseph House, Salisbury, MD
15. Longneck U.M. Church, Millsboro, DE
16. Love, Inc. Seaford, DE
17. Lutheran Church Bible School, Seaford, DE
18. Mt Hermon United Methodist Church, Salisbury, MD
19. Nanticoke Hospital, Seaford, DE
20. Nelson United Methodist Church, Hebron, MD
21. Red Men Lodge, Tony Tank Tribe #149, Fruitland, MD
22. Salisbury Urban Industries, Salisbury, MD
23. Salvation Army, Salisbury, MD
24. Samaritan Ministries, Inc., Pocomoke, MD
25. Save Our Kids, Salisbury, MD
26. St Stephens U.M. Church, Delmar, DE
27. Stevenson U. M. Church, Berlin, MD
28. Union U.M. Church, Bridgeville, DE
29. Westside Community Center, Bivalve, MD
30. Zoar U.M. Church, Millsboro, DE

**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

10/11/2017  
\_\_\_\_\_  
Title

\_\_\_\_\_  
Witness

10/11/2017  
\_\_\_\_\_  
Date

*Wilson*  
*10/11/17*



**To Be Introduced 10/24/17**

**Council District No. 3 – Burton  
Tax I.D. No. 230-15.00-34.00 and 35.00  
911 Address: 9372 Draper Road, Milford**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO AMEND CERTAIN CONDITIONS OF APPROVAL OF CONDITIONAL USE NO. 2071 (ORDINANCE NO. 2514) 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**

**WHEREAS, on the 25th day of September 2017, a conditional use application, denominated Conditional Use No. 2117, was filed on behalf of Blessing Greenhouse and Compost; 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. 2117 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. 2117 as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Cedar Creek Hundred, Sussex County, Delaware, and lying on the northwest corner of Draper Road and Thirteen Curves Road, also on the west side of Draper Road and being more particularly described per the attached legal description.**

**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 10/24/17**

**Council District No. 3 – Burton  
Tax I.D. No. 234-10.00-70.16  
911 Address: Not Available**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A PROFESSIONAL OFFICE WITH CONTRACTOR STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN INDIAN RIVER HUNDRED, SUSSEX COUNTY, CONTAINING 4.6425 ACRES, MORE OR LESS**

**WHEREAS, on the 25th day of September 2017, a conditional use application, denominated Conditional Use No. 2118, was filed on behalf of John W. Davidson; 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. 2118 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. 2118 as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Indian River Hundred, Sussex County, Delaware, and lying on the northeast of Harbeson Road, approximately 1,932 feet northwest of Hollyville Road, and being more particularly described in attached deed prepared by Tunnell & Raysor, P.A.**

**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 10/24/17**

**Council District No. 5 - Arlett  
Tax I.D. No. 533-19.00-297.00  
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 MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 71.379 ACRES, MORE OR LESS**

**WHEREAS, on the 13th day of September 2017, a zoning application, denominated Change of Zone No. 1846, was filed on behalf of CMF Bayside, 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. 1846 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 MR-RPC Medium Density Residential District – Residential Planned Community 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 both sides of Williamsville Road approximately 843 feet southwest of E. Sand Cove Road and being more particularly described per the attached legal description (and included on the survey in the application file), as prepared by Steven M. Adkins Land Surveying, LLC.**

**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 10/24/17**

**Council District No. 1 – Vincent  
Tax I.D. No. 132-12.00-102.01  
911 Address: 28506 Sussex Highway, Laurel**

**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 BROAD CREEK HUNDRED, SUSSEX COUNTY, CONTAINING 2.09 ACRES, MORE OR LESS**

**WHEREAS, on the 25th day of September 2017, a zoning application, denominated Change of Zone No. 1847, was filed on behalf of Winsferd Ray Hutchins, Sr. and Josephine C. Hutchins; 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. 1847 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 Broad Creek Hundred, Sussex County, Delaware, and lying on the west side of Sussex Highway (Route 13) approximately 412 feet north of Boyce Road and being more particularly described in attached deed prepared by Procino Wells, LLC.**

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

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



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# Sussex County Planning & Zoning Commission

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

Application: CU 2097 Lands of Christopher Lopez KH

Applicant/Owner: Christopher Lopez  
9 Surrey Ln.  
Georgetown, DE 19947

Site Location: 24487 DuPont Blvd.  
East side of DuPont Blvd. approximately 1,297 ft. south of Wood  
Branch Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Current Use: Automobile service and repair garage

Proposed Use: Expansion of (CU 1901) for automobile and truck sales and service and  
repair

Comprehensive Land  
Use Plan Reference: Developing Areas

Councilmatic  
District: Mr. Wilson

School District: Indian River School District

Fire District: Georgetown Fire District

Sewer: Private on-site septic

Water: Private on-site well

Site Area: 1.01 ac. +/-

Tax Map ID.: 133-2.00-21.00

\* CU 1901 for automobile service and repair garage was approved on 9-13-11 for a parcel of  
land 0.335 ac. +/-



COUNTY ADMINISTRATIVE OFFICES  
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**Sussex County**

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sussexcountype.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: October 19, 2017

RE: County Council Report for CU 2097 Lands of Christopher Lopez

---

The Planning and Zoning Department received an application (CU 2097 Lands of Christopher Lopez) to allow for an expansion of (CU 1901) for automobile and truck sales and service and repair. The Planning and Zoning Commission held a public hearing on September 14, 2017. The following are the minutes and motion for the Conditional Use from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, exhibit book, site plan and comments from Public Works Utility Planning Division.

The Commission found that Mr. Mark Davidson with Penonni Associates and Mr. Christopher Lopez, owner were present on behalf of the application; that this is an extension to an existing Conditional Use to allow for auto sales and repair; that they received final approval in 2012 for the site; that Mr. Lopez has another location for the auto sales; however, the lease was not renewed and was able to purchase additional land to his existing site; that the site is in Level 2 per the State Strategies; that they have been working on renewing permits; that they will relocate the entrance per DelDOT; that there are less than 50 trips a day and does not require a TIS; that there will be a right-in and a right-out only; that the septic system will be relocated to the rear of the property; that there will be between 18-20 vehicles on site for sale; that the hours of operation are from 7am-6pm Monday through Friday and 7am-5pm on Saturday; that there is no outside storage or items; that he does do basic oil changes; that his specialty is fixing the computers in the vehicles; that he would like one sign at 32 SF with ground lighting; that it is a family business with he and his 2 sons and one other employee; that there are 2 bay doors on the building; that there are no more than 5 vehicles being worked on at the site at one time; that stormwater management will be done through infiltration; and that he will comply with all recycling of oil and other materials.

The Commission found that there was one person in support of the application who did not wish to speak. The Commission found no one in opposition to the application.

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



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

At their meeting of September 28, 2017, the Commission discussed this application which has been deferred since September 14, 2017.

Mr. Hopkins moved that the Commission recommend approval of Conditional Use # 2097 for Christopher Lopez for the expansion of an automotive service and repair shop approved as CU 1901 and to allow truck sales and service based on the record made during the public hearing and for the following reasons:

1. This is an expansion of Conditional Use #1901 which permitted automobile service and repairs. This will also permit truck sales and service to occur on the site.
2. The site is located along U.S. Route 113, which is appropriate for this type of use.
3. The expanded Conditional Use will have no significant impact upon traffic.
4. The project, with the conditions and stipulations placed upon it, will not have an adverse impact on the neighboring properties or community.
5. The site is in a Developing Area and it is also near the Town of Georgetown.
6. The use will continue to provide a service to Sussex County residents and local businesses.
7. This recommendation for approval is subject to the following conditions and stipulations:
  - A. The Final Site Plan shall show all required parking areas for customers and for cars and trucks that are for sale. These areas shall be clearly designated on the site itself. No parking shall be permitted within the front yard setback.
  - B. There shall not be any outside storage of junked vehicles, automobile parts, equipment, tires, or other materials used to repair cars or trucks.
  - C. The only repair work allowed at the shop will be for automobiles, trucks, and farm equipment.
  - D. As proposed by the Applicant, the business will only be operated between the hours of 7:00 a.m. until 6:00 p.m. Monday through Friday, and 7:00 a.m. until 5:00 p.m. on Saturday.
  - E. There may only be one lighted sign on the property advertising the business, not to exceed 32 square feet in size on either side.
  - F. Any security lights shall be screened so that they do not shine on neighboring properties or roadways.
  - G. All loading areas and storage areas shall be screened with a 6-foot high privacy fence.
  - H. The area for a dumpster shall be located behind the building and shall be screened for view. Its location shall also be shown on the Final Site Plan.
  - I. All entrances, intersections, roadway improvements, and multi-modal required by DelDOT shall be completed by the applicant as required by DelDOT and within the time periods required.
  - J. Stormwater management and erosion and sediment control facilities shall be constructed in accordance with all applicable State and County requirements and shall be operated utilizing Best Management Practices.
  - K. As stated by the Applicant, there shall be no more than 5 cars or trucks on site for servicing at any one time.

- L. The Final Site Plan shall allow for interconnectivity with adjacent properties if they are ever developed or redeveloped.
- M. The Final Site Plan shall be subject to approval of the Planning and Zoning Commission.

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





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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: September 2, 2017  
RE: Staff Analysis for CU 2097 Lands of Christopher Lopez

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2097 Lands of Christopher Lopez to be reviewed during the September 14, 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 133-2.00-21.00 to allow for the use as Expansion of (CU 1901) for automobile and truck sales and service and repair. The size of the property to be used for the Conditional Use is 1.01 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 Developing Areas.

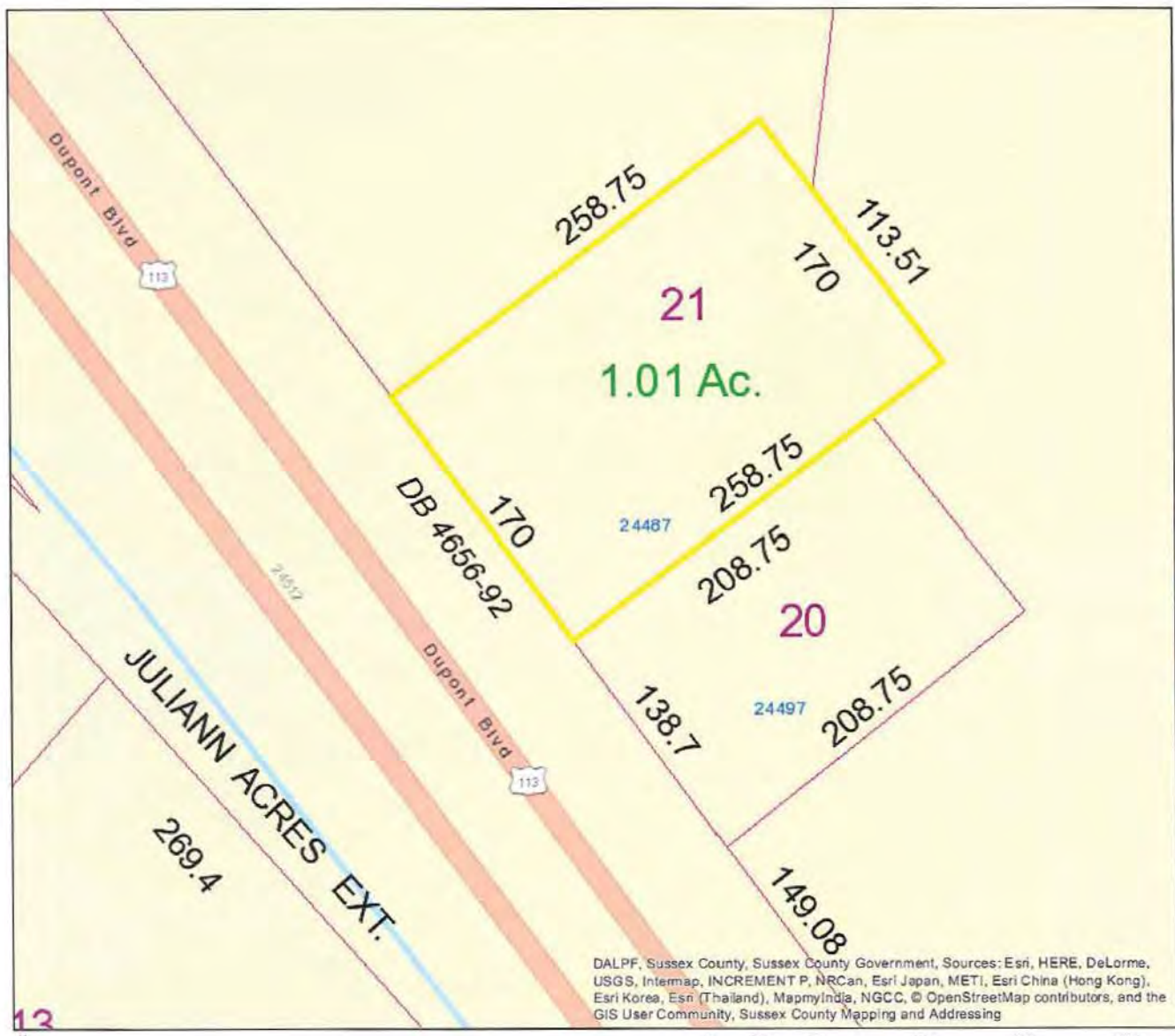
The surrounding land use to the north is Developing Areas. The land uses to the south and east are Developing Areas and Low Density Areas. The land use to the west is Low Density Areas. The Developing Areas land use designation recognizes that full range of housing types should be permitted including single-family homes, townhouses and multi-family units. It also recognizes that a variety of offices uses would be appropriate and a careful mixture of homes with light commercial and institutional uses can be appropriate to provide convenient services and allow people to work close to home.

The property is zoned AR-1 (Agricultural Residential District). The properties to the north, south east and west are zoned AR-1 (Agricultural Residential District).

There is an active Conditional Use on the property (CU 1901) for the use as automobile and truck sales and service and repair. The owner has acquired additional land and is requesting to expand the use onto the rest of the parcel. The Planning Commission held a public hearing on June 23, 2011. County Council approved the Conditional Use on September 13, 2011. There are no known additional Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use request to allow for automobile and truck sales and service and repair would be considered consistent with the land use, and surrounding zoning as it currently exists on a portion of the site.

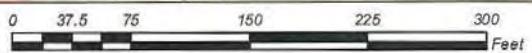




- Addresses / Parcels**
- Tax Parcels
- Council Districts**
- Fire Districts
  - County District 01
  - County District 02
  - County District 03
  - County District 04
  - County District 05
  - County Boundaries
- Schools/Libraries**
- School Buildings (Various)
  - School Library
  - Public Library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

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

Sussex County Map





- Addresses / Parcels**
  - TaxParcels
- Council Districts**
  - Fire Districts
  - County District 01
  - County District 02
  - County District 03
  - County District 04
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Sussex County Map



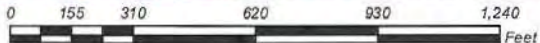
DALPF, Sussex County, Sussex County Government, Sussex County Mapping and Addressing. Source: Esri DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



- Addresses / Parcels**
- Tax Parcels
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DALPF, Sussex County, State & County Government. Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), Mapbox, Swire, © OpenStreetMap contributors, and the GIS User Community. 1999. © 2013. Mapping and Addressing

**Sussex County Map**



Introduced 05/16/17

Council District No. 2 – Wilson  
Tax I.D. No. 133-2.00-21.00  
911 Address: 24487 DuPont Boulevard, Georgetown

ORDINANCE NO. \_\_\_\_

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR AUTOMOBILE AND TRUCK SALES, SERVICE, AND REPAIR TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN DAGSBORO HUNDRED, SUSSEX COUNTY, CONTAINING 1.01 ACRES, MORE OR LESS**

WHEREAS, on the 17th day of April 2017, a conditional use application, denominated Conditional Use No. 2097, was filed on behalf of Christopher Lopez; 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. 2097 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. 2097 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 east side of DuPont Boulevard (Route 113), approximately 1,297 feet south of Wood Branch Road, and being more particularly described per the attached legal description, said parcel containing 1.01 acres, more or less.

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

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



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# Sussex County Planning & Zoning Commission

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

Application: CZ 1828 Coastal Club (aka Marine Farm) DH

Applicant/Owner: Coastal Club, LLC  
20184 Phillips St.  
Rehoboth Beach, DE 19971

Site Location: South side of Beaver Dam Rd. and west side of Jimtown Rd.

Current Zoning: MR (Medium Density Residential District)

Current Use: Residential

Proposed Use: Request to amend Conditions 17A and 17D (allow to extend timeframe one year)

Comprehensive Land  
Use Plan Reference: Mixed Residential Areas and Environmentally Sensitive Development Areas

Councilmatic  
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Public

Water: Public

Site Area: 373 ac. +/-

Tax Map ID.: 334-11.0-5.00 through 395.00 and 396.00



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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: October 19, 2017

RE: County Council Report for CZ 1828 Coastal Club (aka Marine Farm)

---

The Planning and Zoning Department received an application (CZ 1828 Coastal Club (aka Marine Farm)) to request to amend Conditions 17A and 17D (allow to extend timeframe one year). The Planning and Zoning Commission held a public hearing on September 14, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Mr. Hopkins recused himself due to a conflict and left the chambers.

Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, and an exhibit book. Mr. Robertson stated that the application before the Commission is only whether the request for the time extension for the specific conditions should be approved.

The Commission found that James Fuqua, with Fuqua, Willard, Stevens and Schab PA and Preston Schell with Schell Brothers, Bobby Horsey with Horsey Construction Companies, and Zachary Crouch of Davis, Bowen and Friedel were present on behalf of the application; that the request is to request a one year time extension of conditions 17A and 17D that required construction of the sewer and sidewalks be completed prior to May 22, 2017; that they are asking for an extension for 8 months from now; that the original approval was granted in April of 2005 with a different developer; that the previous developer recognized the impact on the Jimtown Road area and proffered sewer, water, sidewalk, street lights and road improvements along Jimtown Rd.; that the application was part of the time extensions granted by Council and a new developer purchased the property; that work began on the project in 2014; that the sewer went from being private provide to County sewer; that County Council required the improvements identified in conditions 17A and 17D to be completed within three years; however, it only allowed the developer 19 months to complete the improvements based on approval by County Council; that the developer is trying to do road improvements in a 50 ft. right-of-way that would typically require a 70 ft. right-of-way; that they have been working with DelDOT to address the roadway plans; that they submitted the request for the time extension prior to May 22, 2017; that DelDOT granted approval on August 10, 2017; however, they cannot begin construction until October 1, 2017 and shall be finished prior to May 22, 2017; that Mr. Horsey stated that the job is a 6 month job; however, there could be impediments



to completing the job and it will be done within the 8 months; and that Mr. Fuqua indicated that they intend to begin construction on October 1, 2017.

The Commission found no one in support of the application.

The Commission found that Gay Allen, Rosalyn Allen Echol, Dennis Moore and Lucinda Allen spoke in opposition to the application; that they were disappointed that their petition from the original application requesting the items not be required was ignored; that they do not like having decisions impacting them done without them; that per the petition that they were all in agreement that the residents did not want any of the items along Jimtown Rd.; that have issue with the process that occurred at the meeting at the Church and that the decision made was that the survey that was taken it was inconclusive; that they feel they are being railroaded into getting services they do not want; that they have concerns about the notification process; that they want the entire development stopped and the approval voided; and that they would like to be left alone and things to stay the way they are.

The Commission discussed this application.

Motion by Mr. Wheatley, seconded by Mr. Hudson, and carried unanimously to defer action for further consideration and to inquire about the public notice concerns. Motion carried 5-0.

At their meeting of September 28, 2017, the Commission discussed this application which has been deferred since September 14, 2017.

Mr. Hudson moved that the Commission recommend approval of Change of Zone # 1828 for Coastal Club (a/k/a Marine Farm) to amend Change of Zone No. 1764 (Ordinance No. 1170) Conditions 17A and 17D to extend the timeframe by one year to complete certain work along Jimtown Road based the record made during the public hearing and for the following reasons:

1. Paragraph 17A of Ordinance No. 1770 required the developer to install sanitary sewer within the Jimtown Road right of way prior to May 22, 2017
2. Paragraph 17D of Ordinance No. 1770 required the developer to install sidewalks within Jimtown Road right of way prior to May 22, 2017.
3. The developer requested the one-year time extension prior to May 22, 2017, which was the original deadline for completing the work.
4. The developer testified that it has diligently been working towards an approved design of the sewer, sidewalk and roadway work with its engineers and representatives of the state and county agencies that have jurisdiction over the work.
5. The need for additional time is due to several factors, including:
  - A. There was only 19 months left to do the work, and not 3 years, by the time the County Council approved CZ #1764 (Ordinance No. 1770).
  - B. The complexity of needing to design what is essentially 70 feet of typical roadway improvements into a 50 foot wide right of way with DelDOT's approval.
  - C. DelDOT granted approval for the design on August 10, 2017, but also mandated that work could not commence until October 1, 2017.
6. The Applicant's contractor stated that the work can be completed prior to May 22, 2018.
7. For all these reasons, it is appropriate to grant a final time extension for the work covered by Conditions 17A and D of Ordinance No. 1770.



Motion by Mr. Hudson, seconded by Ms. Stevenson, and carried 4-0 to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 4-0. Mr. Hopkins recused himself.

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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: September 2, 2017  
RE: Staff Analysis for CZ 1828 Coastal Club (aka Marine Farm)

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1828 Coastal Club (aka Marine Farm) to be reviewed during the September 14, 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 parcels 334-11.0-5.00 through 395.00 and 396.00 to allow for the amendment of conditions of approval of Change of Zone 1764 which was an amendment to CZ 1554. The property is zoned MR-RPC (Medium Density Residential District – Residential Planned Community).

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 and Mixed Residential Areas.

The Planning Commission held a public hearing on April 9, 2015 to consider a requested modification of conditions of approval including condition 17A and 17D. The County Council approved the request modify condition of approval 17A and 17D on August 18, 2015.

The applicant is now requesting to amend conditions 17A and 17D to request a one year extension of the implementation of those Conditions.

Condition 17A states the following:

“Sewer At its sole cost and expense, Developer will provide the properties of Jimtown with lateral and gravity connections to a Sussex County Sewer District, whereby capacity is allocated in accordance with the Goslee Creek Planning Study. The Jimtown service area is described as those properties with frontage on Jimtown Road that are located between the existing bridge at Goslee Creek and the intersection of Beaver Dam Road. At its sole cost and expense, the Developer will complete construction of a sanitary sewer transmission system of sufficient size to convey the Jimtown sewerage through the Coastal Club sanitary sewer system to the Sussex County sewer system within three (3) years of the commencement of construction on the Coastal Club site. Based upon the established date of construction commencement (May 23, 2014), the Developer must complete the Jimtown transmission system by May 22, 2017.

At its sole cost and expense, Developer will engineer and construct a sanitary sewer collection system within Jimtown Road from the bridge to the intersection of Jimtown and Beaver Dam



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Roads, and connect it to the Coastal Club transmission system. The home, lot or parcel owners will not be responsible for any System Connection Charges (SCC's) if connected to the Central Sewer within three (3) years from the date of substantial completion of the Sewer System. The Developer shall be responsible for paying the SCC for any existing home connecting during the three (3) year period. No home, lot or parcel owners of Jimtown shall be required by Sussex County to hook up to the central sewer unless they choose to do so.

Each resident of Jimtown that chooses to hook up to the Coastal Club sanitary sewer system, with such hookup being solely at the discretion of each individual property owner, will pay the user rates set by Sussex County.”

The applicant is requesting to amend condition 17A to state the following:

“Sewer At its sole cost and expense, Developer will provide the properties of Jimtown with lateral and gravity connections to a Sussex County Sewer District, whereby capacity is allocated in accordance with the Goslee Creek Planning Study. The Jimtown service area is described as those properties with frontage on Jimtown Road that are located between the existing bridge at Goslee Creek and the intersection of Beaver Dam Road. At its sole cost and expense, the Developer will complete construction of a sanitary sewer transmission system of sufficient size to convey the Jimtown sewerage through the Coastal Club sanitary sewer system to the Sussex County sewer system within **four (4)** years of the commencement of construction on the Coastal Club site. Based upon the established date of construction commencement (May 23, 2014), the Developer must complete the Jimtown transmission system by **May 22, 2018**.

At its sole cost and expense, Developer will engineer and construct a sanitary sewer collection system within Jimtown Road from the bridge to the intersection of Jimtown and Beaver Dam Roads, and connect it to the Coastal Club transmission system. The home, lot or parcel owners will not be responsible for any System Connection Charges (SCC's) if connected to the Central Sewer within **four (4)** years from the date of substantial completion of the Sewer System. The Developer shall be responsible for paying the SCC for any existing home connecting during the **four (4)** year period. No home, lot or parcel owners of Jimtown shall be required by Sussex County to hook up to the central sewer unless they choose to do so.

Each resident of Jimtown that chooses to hook up to the Coastal Club sanitary sewer system, with such hookup being solely at the discretion of each individual property owner, will pay the user rates set by Sussex County.”

Condition 17D states the following:

“Within three (3) years of the commencement of construction (May 23, 2014), Coastal Club, LLC at its sole cost and expense shall provide a sidewalk within the Jimtown Road right of way on the northeast side of Jimtown Road from the existing bridge over Goslee Creek to the intersection of Jimtown Road and Beaver Dam Road in accordance with the approval of DeIDOT and the Sussex Conservation District.”

The applicant is requesting to amend condition 17D to state the following:

“Within **four (4)** years of the commencement of construction (May 23, 2014), Coastal Club, LLC at its sole cost and expense shall provide a sidewalk within the Jimtown Road right of way on the northeast side of Jimtown Road from the existing bridge over Goslee Creek to the intersection of Jimtown Road and Beaver Dam Road in accordance with the approval of DeIDOT and the Sussex Conservation District.”



**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

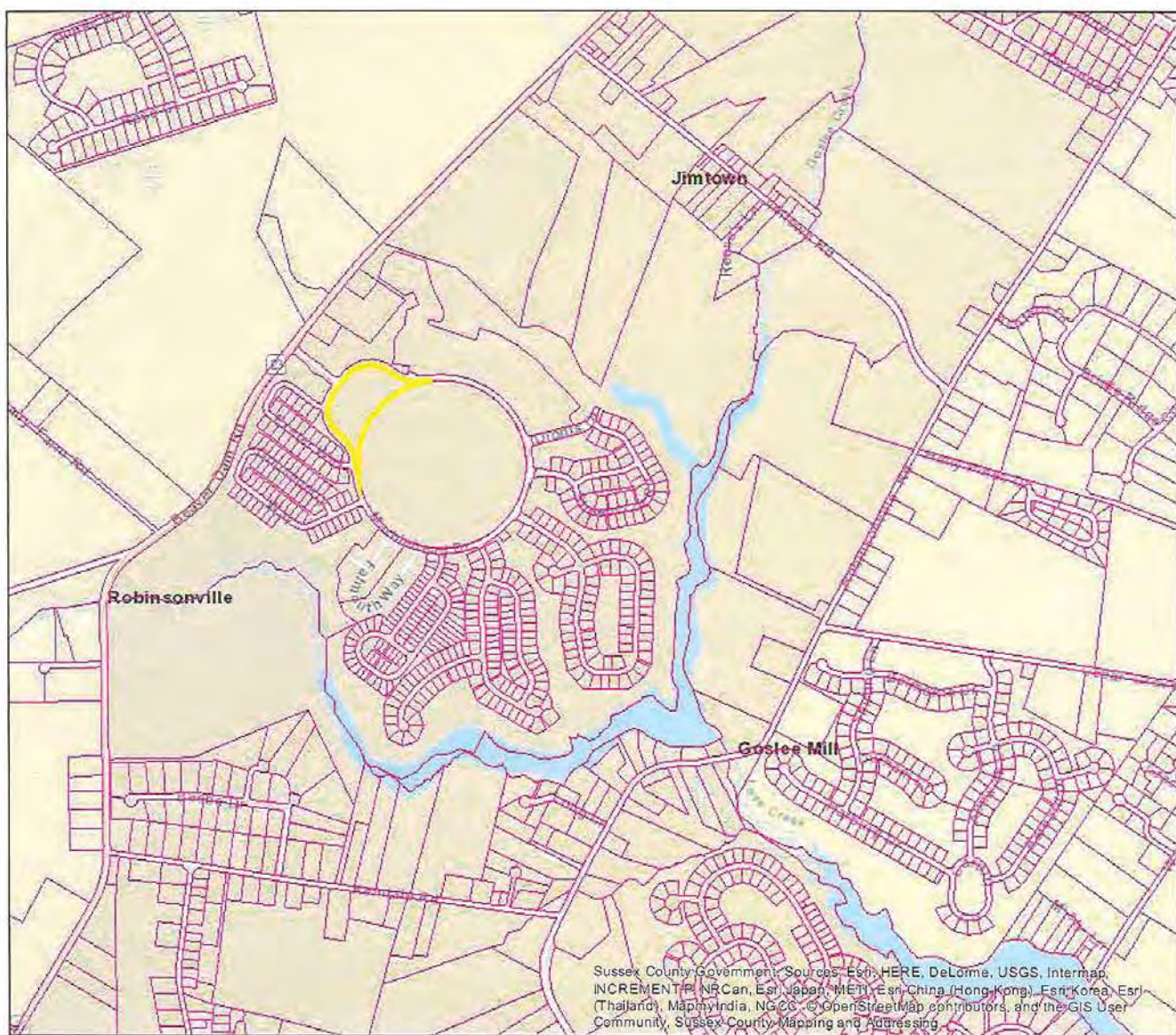
**Flood Zones**

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

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

**Sussex County Map**





**Addresses / Parcels**

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**Hydrology**

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**Flood Zones**

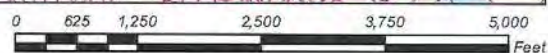
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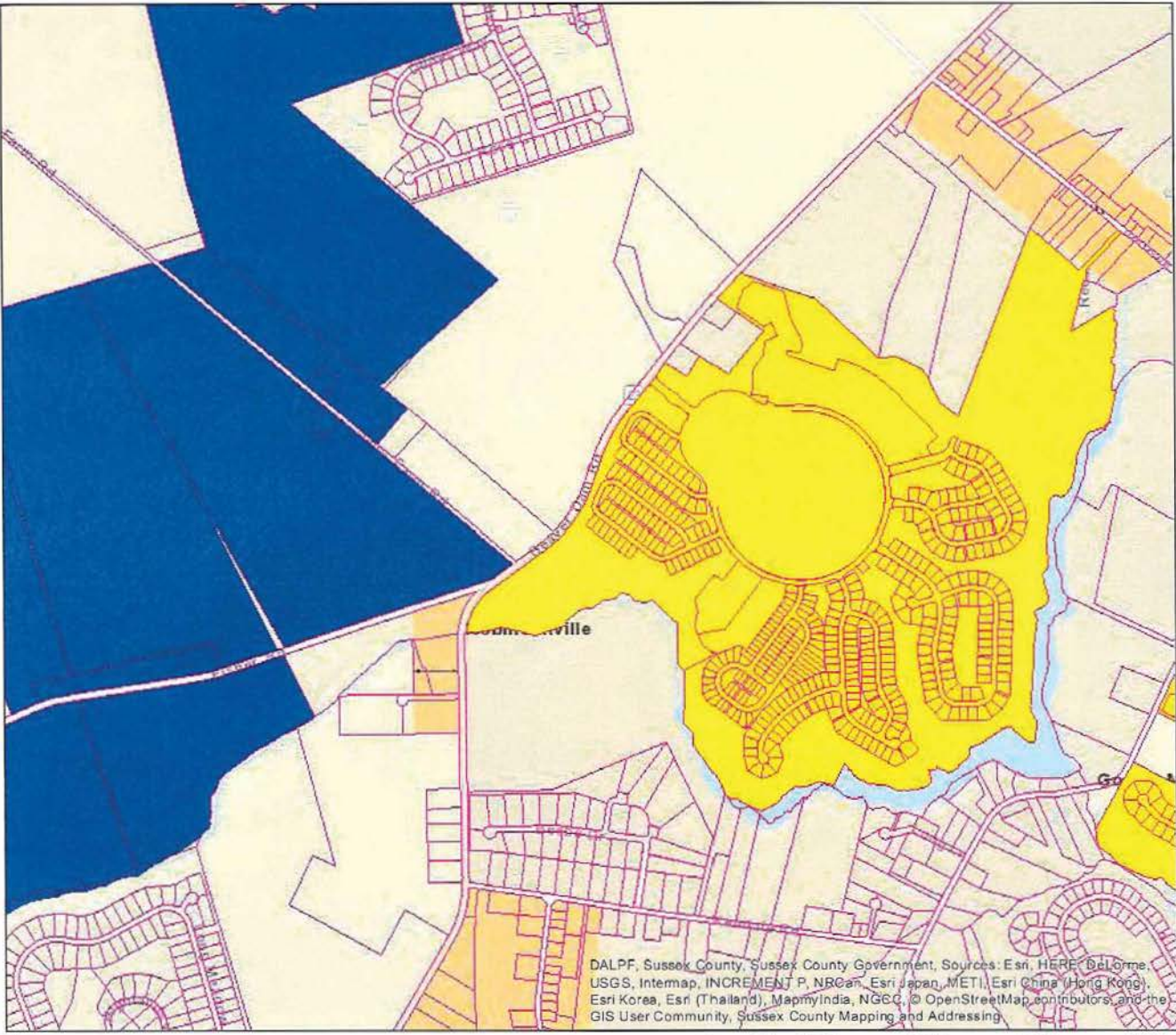
- Public Protected Lands
- Municipalities
- Communities
- Boundaries State County

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 Map**





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

**Sussex County Map**



**Introduced 06/06/17**

**Council District No. 3 - Burton  
Tax I.D. No. 334-11.00-5.00, 334-11.00-395.00 and 396.00  
911 Address: Not Available**

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

**AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT-RESIDENTIAL PLANNED COMMUNITY TO A MR-RPC MEDIUM DENSITY RESIDENTIAL DISTRICT – RESIDENTIAL PLANNED COMMUNITY TO AMEND CHANGE OF ZONE NO. 1764 (ORDINANCE NO. 1770) CONDITIONS 17A AND 17D TO EXTEND TIMEFRAME ONE YEAR FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 373 ACRES, MORE OR LESS**

**WHEREAS, on the 9th day of May 2017, a zoning application, denominated Change of Zone No. 1828, was filed on behalf of Coastal Club (a/k/a Marine Farm); 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. 1828 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 [MR-RPC Medium Density Residential District – Residential Planned Community] and adding in lieu thereof the designation of MR-RPC Medium Density Residential District – Residential Planned Community to amend Change of Zone No. 1764 (Ordinance No. 1770) Conditions 17A and 17D to extend timeframe one year as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the south side of**

**Beaver Dam Road, and being more particularly described in Ordinance No. 1770 (Change of Zone No. 1764), said parcel containing 373 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.**

PROPOSED