



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

**MEETING:  
December 12, 2017**

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

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



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ROBIN GRIFFITH  
CLERK

# Sussex County Council

## AGENDA

DECEMBER 12, 2017

10:00 A.M.

### Call to Order

### Approval of Agenda

### Approval of Minutes

### Reading of Correspondence

### Public Comments

### Todd Lawson, County Administrator

1. Proclamation – Delmar High School Field Hockey Team
2. Proclamation – Delmar High School Football Team
3. Wastewater Agreement No. 53-1  
Sussex County Project No. 81-04  
Breakwater Beach (Parcels 421-428)  
Bethany Beach Sanitary Sewer District
4. Administrator's Report

### Gina Jennings, Finance Director

1. Quarterly Pension Update and Recommendation

### Hans Medlarz, County Engineer

1. Heron Bay Community – Memorandum of Understanding (MOU) Status Report
2. Taxiway C Pavement Rehabilitation, Phase I, Project No. 17-02
  - A. Balancing Change Order and Substantial Completion



3. **Sussex Shores Subdivision – Chapter 96, Projects 14-13 A,B**
  - A. **Contract Amendment 2 – Additional Construction Administration and RPR Services**
4. **Sussex Shores Subdivision – Roadway Improvements, Project 14-13B**
  - A. **Balancing Change Order and Substantial Completion**

**Janelle Cornwell, Planning and Zoning Director**

1. **Report on information received relating to Conditional Use No. 2102, application of Arturo Granados-Gonzalez**
2. **Sign Ordinance Enforcement Update**

**Old Business**

**Change of Zone No. 1827 filed on behalf of Fenwick Commons, LLC**

**Conditional Use No. 2098 filed on behalf of Fenwick Commons, LLC**

**Grant Requests**

1. **Nanticoke Health Foundation for prescription drug fund**
2. **Rehoboth Beach Historical Society for capital campaign**

**Introduction of Proposed Zoning Ordinances**

**Council Members' Comments**

**Executive Session – Pending/Potential Litigation pursuant to 29 Del. C. §10004(b)**

**Possible Action on Executive Session Items**

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

**Change of Zone No. 1834 filed on behalf of Colonial East, L.P.**

**“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 6.98 ACRES, MORE OR LESS” (located on the north side of Lewes-Georgetown Highway (Route 9) approximately 741 feet east of Minos Conaway Road (Tax I.D. No. 334-5.00-165.00 (portion of) and 334-5.00-166.00 (portion of) (911 Address: 30769 Lewes-Georgetown Highway, Lewes)**

**Change of Zone No. 1838 filed on behalf of Two Farms, Inc.**

**“AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.85 ACRES, MORE OR LESS” (located at the southeast corner of Lewes-Georgetown Highway (Route 9) and Gravel Hill Road) (Tax I.D. No. 135-11.00-78.00) (911 Address: 24616 Lewes-Georgetown Highway, Georgetown)**

**Conditional Use No. 2107 filed on behalf of Galbraith Development Group**

**“AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MINI-STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.21 ACRES, MORE OR LESS” (located on the northeast side of Muddy Neck Road, approximately 980 feet northeast of Beaver Dam Road) (Tax I.D. No. 134-17.00-8.09) (911 Address: Not Available)**

**Adjourn**

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

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In accordance with 29 Del. C. §10004(e)(2), this Agenda was posted on December 5, 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



## A PROCLAMATION TO HONOR THE DELMAR HIGH SCHOOL FIELD HOCKEY TEAM UPON WINNING THE 2017 DIAA DIVISION II CHAMPIONSHIP

WHEREAS, the Sussex County Council wishes to recognize the Delmar High School field hockey team for winning the Delaware Interscholastic Athletic Association title as Division II State Champions for the 2017 season; and

WHEREAS, the Delmar High School field hockey team capped an impressive season in beating Tower Hill by a score of 3 to 2 during the state championship game on Saturday, November 18, 2017, ending with an impressive 18-0 record; and

WHEREAS, the Delmar High School field hockey team's accomplishment is the second consecutive state title for the school's field hockey program; and

WHEREAS, the Delmar High School field hockey team played as a formidable opponent in facing squads from across Sussex County and throughout the state of Delaware and mid-Atlantic during the 2017 season, displaying cooperation, consistency, and character above all else; and

WHEREAS, the Delmar High School field hockey team's accomplishment is a source of tremendous pride for the Delmar School District community and all of Sussex County;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council commends the Delmar High School field hockey team upon winning the 2017 Delaware Interscholastic Athletic Association Division II championship title, and proclaims Tuesday, December 12, 2017, as a day for all Sussex County residents to honor the team's remarkable achievement.



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Robert B. Arlett  
Councilman



# SUSSEX COUNTY COUNCIL



## A PROCLAMATION TO HONOR THE DELMAR HIGH SCHOOL FOOTBALL TEAM UPON WINNING THE 2017 DIAA DIVISION II CHAMPIONSHIP

WHEREAS, the Sussex County Council wishes to recognize the Delmar High School football team for winning the Delaware Interscholastic Athletic Association Division II title as State Champions for the 2017 season; and

WHEREAS, the Delmar High School Wildcats football team capped its winning season in beating Milford High School by a score of 14 to 7 during the state championship game on Saturday, December 2, 2017, ending with an impressive 12-1 record; and

WHEREAS, the Delmar High School football team's accomplishment is the seventh state title for the school's football program since 1976; and

WHEREAS, the Delmar High School team of 2017 is the 16<sup>th</sup> Division II football team from Sussex County to win a state title since DIAA divisional tournament play began in 1975; and

WHEREAS, the Delmar High School football team played as a formidable opponent in facing squads from across Sussex County and throughout the mid-Atlantic region during the 2017 season, displaying cooperation, consistency, and character above all else; and

WHEREAS, the Delmar High School football team's accomplishment is a source of tremendous pride for the Delmar School District community and all of Sussex County;

NOW, THEREFORE, BE IT RESOLVED that the Sussex County Council commends the Delmar High School football team upon winning the 2017 Delaware Interscholastic Athletic Association Division II championship title, and proclaims Tuesday, December 12, 2017, as a day for all Sussex County residents to honor the team's remarkable achievement.



\_\_\_\_\_  
Robert B. Arlett  
Councilman

## 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

December 01, 2017

### FACT SHEET

SUSSEX COUNTY PROJECT 81-04  
BREAKWATER BEACH (PARCELS 421-428)  
AGREEMENT NO. 53 - 1

#### DEVELOPER:

Mr. Bill Krapf  
Breakwater Beach, LLC  
105 Foulk Rd.  
Wilmington, DE 19803

#### LOCATION:

Bethany Beach. approx. 1.4 miles south of  
Indian River Inlet. Within Breakwater Beach  
Development.

#### SANITARY SEWER DISTRICT:

Bethany Beach Sanitary Sewer District

#### TYPE AND SIZE DEVELOPMENT:

8 single family detached subdivision

#### SYSTEM CONNECTION CHARGES:

\$46,200.00

#### SANITARY SEWER APPROVAL:

Sussex County Engineering Department Plan Approval  
04/24/17

Department of Natural Resources Plan Approval  
05/01/17

#### SANITARY SEWER CONSTRUCTION DATA:

Construction Days – 30  
Construction Admin and Construction Inspection Cost – \$2,676.75  
Proposed Construction Cost – \$17,845.00



COUNTY ADMINISTRATIVE OFFICES  
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**Sussex County**

DELAWARE  
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## **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/COO

RE: **SUSSEX COUNTY PENSION UPDATE**

DATE: December 8, 2017

On Tuesday, I will be discussing the County's pension performance and possible change to the OPEB Funding Policy. Attached for your review are the draft minutes of the November 16, 2017 Pension Committee meeting, quarterly pension investment update, and Tuesday's presentation.

Please contact me if you have any questions or concerns.

Attachments

pc: Mr. Todd F. Lawson





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## **PENSION FUND COMMITTEE**

### ***Minutes of Meeting***

**November 16, 2017**

The Sussex County Pension Fund Committee met on November 16, 2017, at 10:00 a.m. in the County Council Chambers, Georgetown, Delaware. Those in attendance included members: Gina Jennings, Todd Lawson, Karen Brewington, Kathy Roth, David Baker, Hugh Leahy, and Kathleen Ryan. Also in attendance were Michael Shone of Peirce Park Group, the County's Pension Investment Consultant; and Janet Cranna, Margaret Tempkin, and Brett Warren, of Cheiron, the County's Actuary.

On November 8, 2017, the Agenda for today's meeting was posted in the County's locked bulletin board located in the lobby of the County Administrative Offices, as well as posted on the County's website.

Ms. Jennings called the meeting to order.

1. **Approval of Minutes**

The minutes of the August 17, 2017 meeting were approved by consent.

2. **Annual Actuarial Report**

At the request of the County, Cheiron, the County's actuary, performed an actuarial valuation of the Sussex County Employee Pension Plan, as well as the Sussex County Postemployment Benefit Plan, as of July 1, 2017.

Committee members were provided with six reports, "Sussex County Employee Pension Plan Actuarial Valuation Report as of July 1, 2017", "Sussex County Other Postemployment Benefits Actuarial Valuation Report as of July 1, 2017", "Sussex County Employee Pension Plan GASB 67/68 Report as of June 30, 2017 Measurement Date", and "Sussex County Other Postemployment Benefits GASB 74/75 Report as of June 30, 2017 Measurement Date"; "Sussex County Employee Pension Plan - 2017 Actuarial Valuation – November 16, 2017", and "Sussex County Postemployment Benefits Plan - 2017 OPEB Valuation – November 16, 2017".

The PowerPoint presentation began with the "2017 Pension Valuation". This valuation included a historical review, valuation results and their projected outlook for the Pension Plan, as well as GASB 67/68.



For the past year, the Pension Fund realized investment earnings of \$8.8 million, employer contributions of \$3.8 million, and employee contributions of \$0.1 million; expenses included benefit payments of \$3.9 million, as well as \$0.1 million for expenses associated with the management of the fund.

The key factors, which influenced the pension plan were reviewed, with a 7-year history presented. Historically, the information reviewed included participation, assets and liabilities, and contributions. The participation rates (the ratio of active members to inactive members) has been slowly decreasing over the time period. In 2011, the ratio was 2.0 (for every 2 actives, 1 inactive); this ratio was 1.4 for 2017. Assets and liabilities included actuarial liability, market value of assets and actuarial value of assets (smoothing). The funded ratio, which is the actuarial value of assets over the actuarial value of liabilities, has been slightly decreasing over the 7-year time period, remaining in the 80 to 90 percent range. In 2015, GASB 67/68 was implemented and impacted the actuarial liability; in 2016, the smoothing method was reimplemented. Contributions looked at administrative expenses, amortization payment, county normal cost payment, and actual contribution. It was noted that the County has consistently contributed higher than the actuarial determined contribution each year, with an on average of \$3.6 million during this time period. In 2015, a 30-year rolling period was used, with a 20-year closed period in 2016; currently, the actuary is using an 18-year closed period.

The 2017 valuation results included: an increase in the actuarially determined contribution (ADC) from \$3.4 million to \$4.1 million (18.16 percent of payroll) primarily due to the decrease in the discount rate and plan/assumption changes. The unfunded liability increased from \$15.7 million, up to approximately \$20 million for 2017. Of the \$5.3 million change, \$4.6 million was related to the plan and assumption changes; there was an actuarial experience loss of \$0.9 million. The market value increased 11.9 percent compared to a 7.50 percent assumption, which resulted in a \$3 million gain last year. There was an actuarial experience liability loss of \$0.7 million, which is relatively small compared to the size of the plan.

It was noted that there was a decrease in the discount rate from 7.50 percent to 7.25 percent, which increased the unfunded liability by \$3.3 million. Plan changes increased the unfunded actuarial liability (UAL) by \$1.3 million; these changes included an increase from 40 hours to 42 hours for paramedics and dispatchers, increasing the maximum service for paramedics and dispatchers hired after 7/01/2000 (who retire after the last calendar year) by 5 years (25 to 30 years), and an increase from 30 to 35 years for non-elected and elected officials hired after 7/01/2000 (who retire after 12/31/2016). These plan changes were adopted last year and this is the first year that the information will be reflected in the actuarial report.

Participant data for the plan was reviewed: number of actives – 477, payroll increased by 4.5 percent, with the average salary increasing by approximately 5.1 percent (compared to an average assumption of 3.8 percent for the year). Number of in-pay participants increased by 15 from last year, or 6.6 percent, with the total benefits increasing by 12.6 percent, or \$4,069,698; the average benefit increased by 5.6 percent. The number of terminated vested participants increased by 11 and the

unfunded liability increased to \$21 million for 2017, which decreased the funding ratio to 80 percent for the year.

Discussion was held regarding other municipalities decreasing their assumed rate of return (ARC) and offering no COLAs for retirees; it was noted that the State of Delaware uses an ARC of 7 percent, with others below 7 percent.

Next, projections were reviewed, which included actuarial liability, actuarial value of assets and market value of assets. Although the plan is 80 percent funded, it will be 100 percent funded at the end of the 18-year period, or 2035. Contributions included employer contributions, employer normal cost rate, and UAL rate. In 2018, the employer contribution was 18.2 percent, but will drop to 7.5 percent in 2035 (full amortization).

Discussion included layered amortization and the future possibility of modifying the funding policy.

**GASB 67** results for the Pension Fund were reviewed. It was noted that:

- The County first adopted GASB 67 in the June 30, 2014 financial statements;
- Similar actuarial methods and assumptions used in developing the actuarial liability for funding purposes;
- Assets will differ from funding since GASB requires using market value with no smoothing (funding uses 5-year smoothing); and
- Discount rate for GASB 67 is 7.25 percent (same as funding) – projections indicate that plan assets are expected to cover all future benefit payments for current plan participants; if not, some blending with a municipal bond index would have been required.

Other reporting requirements for GASB 67 were reviewed and discussed.

Next, Cheiron continued their PowerPoint presentation with the “2017 OPEB Valuation”, which followed the same format as the Pension Plan and included a historical review, valuation results and their projected outlook for the OPEB Plan, as well as GASB 74/75.

Historically, information presented included assets and liabilities (actuarial liability and market value of assets), and contributions. The funding ratio for 2017 was 68 percent. With the implementation of GASB 74/75, the plan switched to using entry age normal as its funding method in 2016. With contributions, amortization payments used a 30-year rolling period. As with the Pension Plan, the County’s contributions are above the actuarial determined contribution (ADC).

The premiums for FY 2018 remained level:

- Claim curves are reviewed every other year (pre-Medicare trended at 7 percent; Medicare at 4 percent, and dental at 5 percent).
- Actuarial liability (AL)  
AL increased to \$52.4 million  
AL was expected to increase to \$51.1 million, with a 7.50 percent discount rate



AL was expected to increase to \$53.0, with a 7.25 percent discount rate; which resulted in a slight gain due to the new dispatcher assumption change

- Unfunded liability remained at \$17.0 million; it was expected to increase to \$19.1, which resulted in an asset gain of \$1.5 million
- Liability gain of \$0.6 million
- Funded ratio increased to 68 percent
- Actuarial determined contribution increased from \$1.87 million to \$1.94, mainly due to the reduction in discount rate

Participant data/principal results were reviewed: number of actives decreased slightly in 2017; with retirees increasing, this resulted in an overall addition of 12 participants. The actuarial liability increased slightly to \$52.4 million, assets increased to \$35 million, unfunded liability of \$17 million, and the plan is approximately 68 percent funded. The employer normal cost increased from \$810,000 to \$909,000 primarily due the discount rate change. The County's contribution increased from \$1.87 million in 2016 to \$1.944 million in 2017; contributions – as a percentage of payroll – are 8.60 percent. It was noted that in addition to the required contribution, the County contributed an additional \$5 million to both the Pension and OPEB Plans during 2017.

Projected Outlook information included:

- Baseline data (7.25 percent discount rate, ADC contributions and a 30-year open amortization) included assets and liabilities, as well as plan expense and funding, with a 30-year rolling period. It was noted that the OPEB will never be 100 percent funded based on a rolling period with a contribution. The expected benefit payment is expected to increase from \$2 million to \$6 million during the 20-year period.
- Budgeted Contributions (7.25 percent discount rate, budgeted contributions of 9.50 percent of pay, 30-year open amortization, and assets projected to grow to cover 98 percent of expected liabilities by 2037).
- Closed period amortization (7.25 discount rate, ADC based on normal cost plus UAL payment under 30 years closed period, assets projected to grow to cover 88 percent of expected liabilities by 2037; between baseline and budgeted projections).

Discussion took place regarding changing the actuarial valuation to a 30-year closed valuation instead of the current 30-year rolling assumption.

A Motion was made by Mr. Baker, seconded by Mr. Leahy, to recommend to the Sussex County Council to change the actuarial valuation assumption to a 30-year closed period amortization for the OPEB Plan.

Motion Adopted: 7 Yeas.

Vote by Roll Call: Ms. Brewington, Yea; Ms. Roth, Yea; Ms. Ryan, Yea;  
Mr. Leahy, Yea; Mr. Baker, Yea; Mr. Lawson, Yea;  
Ms. Jennings, Yea

GASB 74/75 results for the OPEB Plan were reviewed. The discount rate for GASB 74 is 7.25 percent. The net OPEB liability was \$16.9 million for both 2016 and 2017, with benefit payments of \$1,828,522; strong investment returns of \$3.4 million were realized. GASB 74/75 also requires disclosure of the sensitivity of net OPEB liability to changes in discount rate (6.25 percent, 7.25 percent and 8.25 percent); this also is required for healthcare cost trends, as well as the impact on liability.

Other reporting requirements for GASB 74/75 were reviewed and discussed.

The Committee thanked Ms. Cranna, Ms. Tempkin, and Mr. Warren for their presentation.

3. **Performance Reports of the Pension and OPEB Funds**

Mr. Shone distributed copies of a report entitled, “Sussex County Quarterly Performance Report as of September 30, 2017”. The Investment Performance Report includes information regarding the market environment for the third quarter of 2017, as well as quarterly and annual performances of the Pension and OPEB Plans. Although the report should be referenced for a more detailed analysis, discussion highlights include:

Mr. Shone referred members to Market Environment – 3<sup>rd</sup> Quarter of 2017 (Tab 1).

Mr. Shone expressed his praise to the County regarding their contributions to both Pension and OPEB Plans. He also noted that 6.75 to 7.00 percent was a good long-term rate of return assumption based on the County’s asset allocation mix. Mr. Shone discussed the Gross Domestic Product (GDP) growth, which is in the 1-1/2 to 2-3/4 percent range. U.S. equities were up 4.6 percent for the quarter and 13.9 percent year-to-date; international equities outperformed the U.S. markets, which is the reverse of last year. Emerging markets were the big winner this year, which is the opposite for past years. The County has a lower exposure to emerging markets and international stocks compared to the average plan. Bonds have realized a slightly better return than expected, or 3.1 percent for the year-to-date. Growth stocks outperformed value stocks for the year, opposite of last 2016.

Mr. Shone directed members to the Pension Fund Performance Report (Tab II).

As of September 30, 2017, the ending market value of the Pension Plan was \$90.1 million and had a year-to-date return of 9.5 percent as compared to a 10.8 percent benchmark, and for the one-year: 11.1 percent return as compared to a 12.2 percent benchmark. Actual dollar return realized year-to-date thru the end of September was \$7.6 million, with an additional gain of \$1.1 million for the month of October. Mr. Shone discussed the fact that the Pension Plan has lagged its benchmark not only this year, but at the three and five-year periods, primarily due to the State. He noted his concern and suggested that the Committee may want to consider inviting them to a future meeting.

The overall expense ratio for the County's Pension Plan is 35 basis points, which is average among Marquette's clients. The County's performance has been slightly less than their other clients, again, primarily, due to the State's performance, which is 50 percent of the County's assets.

For the quarter, the State realized returns of 2.6 percent versus a benchmark of 3.4 percent; year-to-date: 9.3 percent versus 10.8; and one year: 9.8 percent versus 11.1 percent.

4. **Global Equity Active Manager Options**

At this point in the meeting, Mr. Shone began a review of the report entitled, "Equity Manager Search – Sussex County Pension – November 2017". At August's meeting, the Committee terminated DuPont Capital as a large cap domestic manager and requested Marquette to further research active domestic large cap managers. Instead, Marquette recommends the Committee consider accessing active management through global equity; the Committee had been made aware of this prior to today's meeting.

In light of the State's underperformance and its impact on the County, discussion was held as to whether these concerns need to be addressed prior to making any decision regarding a global equity manager search.

Mr. Shone questioned the county's interest in increasing the international target from 14 to 16 percent, which would require a policy change; it was noted that the Committee had expressed previous interest in possibly increasing the international target. After discussion by the Committee, it was the consensus to table any decision in regard to a global equity manager search; Mr. Shone will speak with the State and report his findings to the Committee; and the Committee will invite the State to the February 2018 meeting. Mr. Shone will also give recommendation in regard to an increase to 16 percent in international stocks.

3. **Performance Reports of the Pension and OPEB Funds**

Mr. Shone resumed reviewing the Performance Report and referred members to the OPEB Fund Performance Report (Tab III).

As of September 30, 2017, the ending market value of the OPEB Plan was \$41.6 million and realized a third quarter gain \$1.2 million, with a return of 3.1 percent versus a policy index of 3.4 percent. The Plan underperformed its policy index by approximately 30 basis points (low volatility manager lagged benchmark and plan's slight value tilt in U.S. equities). The additional \$5,000,000 contribution by the County was allocated between existing managers. If the County raises the international allocation for the Pension Plan, Mr. Shone recommended the same be done for the OPEB Plan. With the exception of a possible change in the international target, no additional changes were recommended.

Ms. Jennings thanked Mr. Shone for his presentation.

5. **2018 Meeting Dates**



Discussion was held regarding the meetings for 2018. Following are the meetings for 2018:

February 15, 2018  
May 17, 2018  
August 16, 2018  
November 15, 2018

All meetings begin at 10:00 a.m. and are held in the Sussex County Council Chambers, Administrative Office Building, Georgetown, Delaware.

6. **Additional Information**

No Additional Business.

7. **Adjourn**

At 11:43 a.m., a Motion was made by Mr. Leahy, seconded by Ms. Ryan, to adjourn. Motion Adopted by Voice Vote.

Respectfully submitted,

Nancy J. Cordrey  
Administrative Secretary

DRAFT



SUSSEX COUNTY QUARTERLY PENSION UPDATE



# TOPICS

- Quarterly Performance Summary
- Annual Actuarial Report
- Recommendation to Change OPEB Funding Policy





# PERFORMANCE SUMMARY

Pension Fund		
Market Value	3 <sup>rd</sup> Quarter Return	1 Year Return
\$90,121,035	2.7%	11.1%

Net Investment Change		
3 <sup>rd</sup> Quarter	1 Year	3 Years
\$2,388,999	\$8,887,098	\$14,590,762

OPEB (Benefits) Fund		
Market Value	3 <sup>rd</sup> Quarter Return	1 Year Return
\$41,591,935	3.1%	11.2%

Net Investment Change		
3 <sup>rd</sup> Quarter	1 Year	3 Years
\$1,158,967	\$3,768,751	\$6,500,589



# ANNUAL ACTUARIAL REPORT

## PENSION

### Contribution

FY 2017 Recommended Contribution	FY 2018 Recommended Contribution	FY 2018 Budgeted Contribution
\$3,391,726	\$4,111,811	\$9,233,170

### Unfunded Liability

	FY 2017	FY 2018
Unfunded Liability	\$15,687,976	\$20,973,281*
Funded Ratio	78%	79%

\* Increase is due to: change in assumed rate of return - \$3.3 million  
plan changes (42 hours and 5 years) - \$1.3 million

### 19 Year Projection

	FY 2017	FY 2036
Liability	\$104,655,672	\$200,000,000
Assets	\$82,759,578	\$200,000,000
Funded Ratio	79%	100%



# ANNUAL ACTUARIAL REPORT

O P E B

## Contribution

FY 2017 Recommended Contribution	FY 2018 Recommended Contribution	FY 2018 Budgeted Contribution
\$1,870,754	\$1,944,316	\$6,944,316

## Unfunded Liability

	FY 2017	FY 2018
Unfunded Liability	\$16,983,740	\$16,956,271
Actuarial Funded Ratio	65%	68%

## Valuation from Projected Unit to Entry Age Normal

## 20 Year Projection

	FY 2017	FY 2037
Liability	\$52,374,960	\$110,000,000
Assets	\$35,418,689	\$107,800,000
Actuarial Funded Ratio	68%	98%



## RECOMMENDATION TO CHANGE OPEB FUNDING POLICY

### Why?

The Government Accounting Standards Board (GASB) asks that actuaries use a “close” period of amortization versus an “open” period.

### How does this affect Sussex County?

Financially, it doesn't. Council placed in the policy last year that we will contribute the greater of 9.5% of pay or the actuarially determined contribution. Therefore, we would always contribute more than the actuarial determined contribution.

### The recommended wording change:

For this purpose, the ADC is calculated as the normal cost determined under the Entry Age Normal Actuarial Cost Method, plus the amortization of the unfunded actuarial liability over a 30-year ~~open~~ close level percent of pay, plus anticipated administrative expenses.





# FUNDING POLICY MOTION

Be it moved that the Sussex County Council, based on the recommendation of the Pension Committee and the County's actuary, Cheiron, change the OPEB funding policy to state that the Actuarial Determined Contribution will include the amortization of the unfunded actuarial liability over a 30-year close level percent of pay.



SUSSEX COUNTY QUARTERLY PENSION UPDATE

Investment Stewardship Guidance



# Global Equity Manager Search

Sussex County Pension

November 2017



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- I. Overview
- II. Strategy Comparisons
- III. Proposed Rebalancing



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# Overview

## Purpose

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- Objective

- The Committee voted to terminate DuPont Capital as a large cap domestic equity manager and temporarily “park” assets in S&P 500 index fund
- At the August meeting, Marquette was asked to further research active domestic large cap managers
- Instead, Marquette recommends the Committee consider accessing active management through global equity

- Process

- Global equity manager search

- Current international equity investments

- Delaware State Pool: 10% of total portfolio (0.50\*20%)
- Index fund: 4% of total portfolio

## Description of Key Terms

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- **International Equities** – Stocks of companies that are headquartered outside the U.S.
- **Global Equities** – Stocks of companies from across the globe, including both the U.S. and international markets.
- **Mutual Fund** – A collective investment vehicle that is regulated by the SEC and sold to the public. The price of the mutual fund is calculated daily and available as public information.
- **CIT** – Collective Investment Trust. Private commingled vehicle available to institutional investors; not regulated by the SEC. Tend to have lower fees and higher investment minimums than mutual funds.



## Description of Benchmarks

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- **MSCI ACWI** – Measures global equity performance. It comprises the MSCI country indices that represent all developed markets (North America: Europe, Australasia and the Far East) **and all emerging markets**.
- **MSCI ACWI ex US** – Measures international equity performance. It comprises the MSCI country indices that represent developed markets **outside** of North America (Europe, Australasia and the Far East) **and all emerging markets**.

## Process-Selection Criteria

Marquette Associates analyzed a universe of investment strategies, seeking those that have:

- Attractive relative returns ✓
- Consistent execution of investment process ✓
- Competitive fees ✓
- Down-market protection ✓

After extensive analysis, we present the following options for consideration:

Harding Loevner <i>Global Equity</i>	MFS <i>Low Volatility Global Equity</i>	Schroders <i>Global Quality</i>	Vontobel <i>Global Equity</i>
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# Strategy Comparisons

## Summary: Global

<p><u>Harding Loevner</u></p>	<ul style="list-style-type: none"> <li>▪ Focus on high quality growth companies</li> <li>▪ Seeks reasonably-priced companies relative to their discounted value of estimated cash flows</li> <li>▪ Invests in both developed (U.S. and international) and emerging markets</li> </ul>
<p><u>MFS</u></p>	<ul style="list-style-type: none"> <li>▪ Uses both fundamental and quantitative metrics</li> <li>▪ Targets 30% less risk than the MSCI ACWI</li> <li>▪ Invests in developed (U.S. and international) and emerging markets</li> </ul>
<p><u>Schroders</u></p>	<ul style="list-style-type: none"> <li>▪ Primarily quantitative approach to investing</li> <li>▪ Seeks high-quality stocks that also display attractive valuations and sufficient liquidity</li> <li>▪ All-cap approach invests in developed (U.S. and international) and emerging markets</li> </ul>
<p><u>Vontobel</u></p>	<ul style="list-style-type: none"> <li>▪ Targets high-quality growth companies at reasonable valuations</li> <li>▪ Invests in developed (U.S. and international) and emerging markets with few constraints</li> <li>▪ Long-time CIO and lead PM left the firm in early 2016</li> </ul>

## Manager Information – as of September 30, 2017

	Harding Loevner	MFS	Schroders	Vontobel
<b>Location</b>	Bridgewater, NJ	Boston, MA	London, UK	New York, NY
<b>Firm Inception</b>	1989	1924	1804	1984
<b>Firm Assets (\$B)</b>	58.9	473.8	563.0	36.8
<b>Style</b>	Fundamental, Bottom-up	Combined, Bottom-up	Quantitative, Bottom-up	Fundamental, Bottom-up
<b>Strategy Inception</b>	1989	2011	2007	1994
<b>Strategy Assets (\$B)</b>	8.8	1.2	8.0	9.3
<b>Fees</b>	0.92%	0.68%	0.65%	0.91%
<b>Vehicle</b>	Mutual Fund	Mutual Fund*	CIT	Mutual Fund
<b>Liquidity</b>	Daily	Daily	Daily	Daily
<b>Preferred Benchmark</b>	MSCI ACWI	MSCI ACWI	MSCI ACWI	MSCI ACWI
<b># of Holdings</b>	72	95	436	44

\*Information throughout this presentation is based on the mutual fund vehicle, although the strategy is also offered in a CIT vehicle. All-in annual fees for the CIT vehicle is 0.46%.





# Harding Loevner

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## Portfolio Management:

- Two co-portfolio managers are supported by a team of 26 research analysts
- Analysts are primarily organized by sector and have an average of 20 years industry experience

## Investment Process:

- Seeks high-quality growth businesses at reasonable prices
- Uses fundamental data and judgment to sort companies by business quality and growth prospects
- Analysts build forecasts, estimate fair value, and issue stock ratings

## Risk Management:

- 5% position max
- 15% and 25% industry and sector max, respectively
- Geographic limits



# MFS

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## Portfolio Management:

- Four portfolio managers on the strategy
- Global research platform—fundamental research, sector team, quantitative research, etc.—supports the portfolio managers

## Investment Process:

- Avoids the most volatile (as measured by standard deviation) stocks within universe
- Seeks companies with high quality of products and services, strong growth rate versus its industry, strong management, and solid financial strength
- Looks for attractive valuations that have an investment catalyst

## Risk Management:

- 4% position max
- Sector, industry, and region weights within 5% of benchmark 5-year average
- Uses MSCI Barra in daily risk monitoring and optimization process



# Schroders

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## Portfolio Management:

- Managed by 28-member Quantitative Equity Products (QEP) group
- Lead PM co-founded QEP in 1996 and has headed the group since 2000

## Investment Process:

- Seeks companies with high-quality attributes (profitability, stability, and financial strength)
- Looks for attractive valuations (quality-adjusted yields, cash flows, sales, earnings, and deep value metrics)
- Favors lower transaction costs and greater liquidity

## Risk Management:

- Maximum stock weighting is a function of stock quality/valuation
- More liquid stock are permitted a higher maximum weight in portfolio



# Vontobel

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## Portfolio Management:

- Firm CIO Matthew Benkendorf leads the strategy with help from Deputy Portfolio Manager Ramiz Chelat
- 18 research analysts (including portfolio managers) provide bottom-up research for all six of the firm's strategies

## Investment Process:

- Seeks companies with high-quality attributes including low-to-moderate leverage, high ROE/ROA, strong free cash flows, and stability in margins
- Uses in-depth research to identify defensible franchises with low/moderate capital needs; gauge each firm's ability to replicate past results
- Maintains five-year profit forecast of current and potential holdings which, along with conviction, is used to determine position sizing

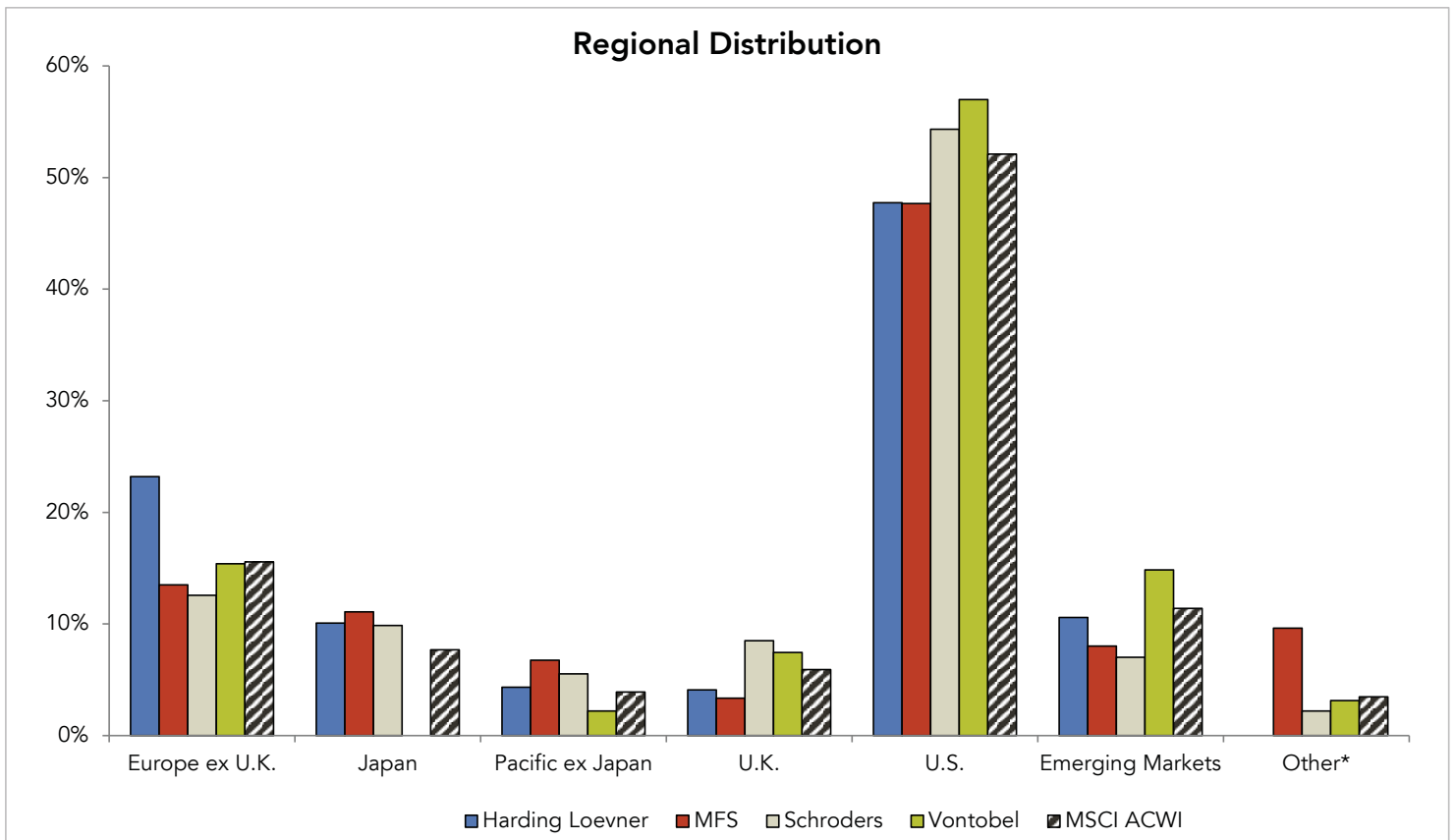
## Risk Management:

- 7% maximum position size
- Must be invested in a minimum of five sectors
- Maximum country overweight of 20% relative to MSCI ACWI

## Top 10 Holdings (%) – as of September 30, 2017

Harding Loevner		MFS		Schroders		Vontobel	
Nike	3.0	Taiwan Semi Mfg Co	3.5	NTT DOCOMO	0.7	Mastercard	4.9
PayPal	3.0	Johnson & Johnson	2.8	KDDI	0.6	Alphabet	4.7
Roper Technologies	2.8	Fisher & Paykel	2.5	Kimberly-Clark	0.6	Visa	4.5
Priceline	2.5	Roche	2.4	LyondellBassell	0.6	HDFC Bank	3.9
AIA Group	2.4	Terumo	2.2	Intel	0.6	British American Tobacco	3.8
Systemex	2.3	Ross Stores	2.1	Amgen	0.6	Phillip Morris Int'l.	2.9
Symrise	2.3	Integra LifeSciences	2.0	Check Point Software	0.6	Alimentation Couche-Tard	2.8
Regeneron	2.2	McDonald's	1.9	Phizer	0.6	Berkshire Hathaway	2.8
Schlumberger	2.2	Lockheed Martin	1.9	Novo Nordisk	0.6	UnitedHealth	2.7
SVB Financial Group	2.1	Validus	1.8	Taiwan Semi Mfg Co	0.6	Alibaba	2.7
<b>Total</b>	<b>24.8</b>	<b>Total</b>	<b>22.9</b>	<b>Total</b>	<b>6.3</b>	<b>Total</b>	<b>35.6</b>

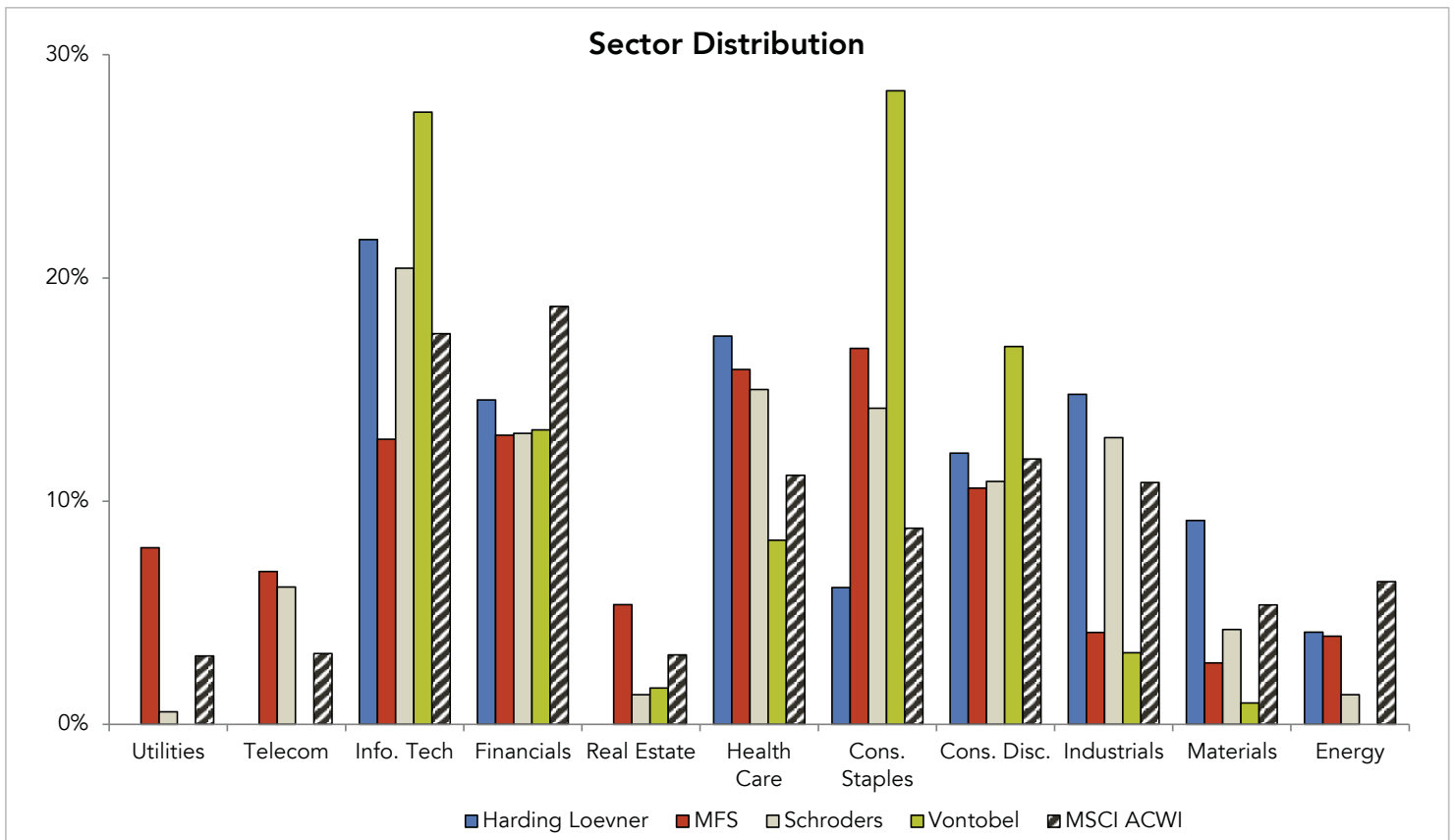
## Strategy Comparison – as of September 30, 2017



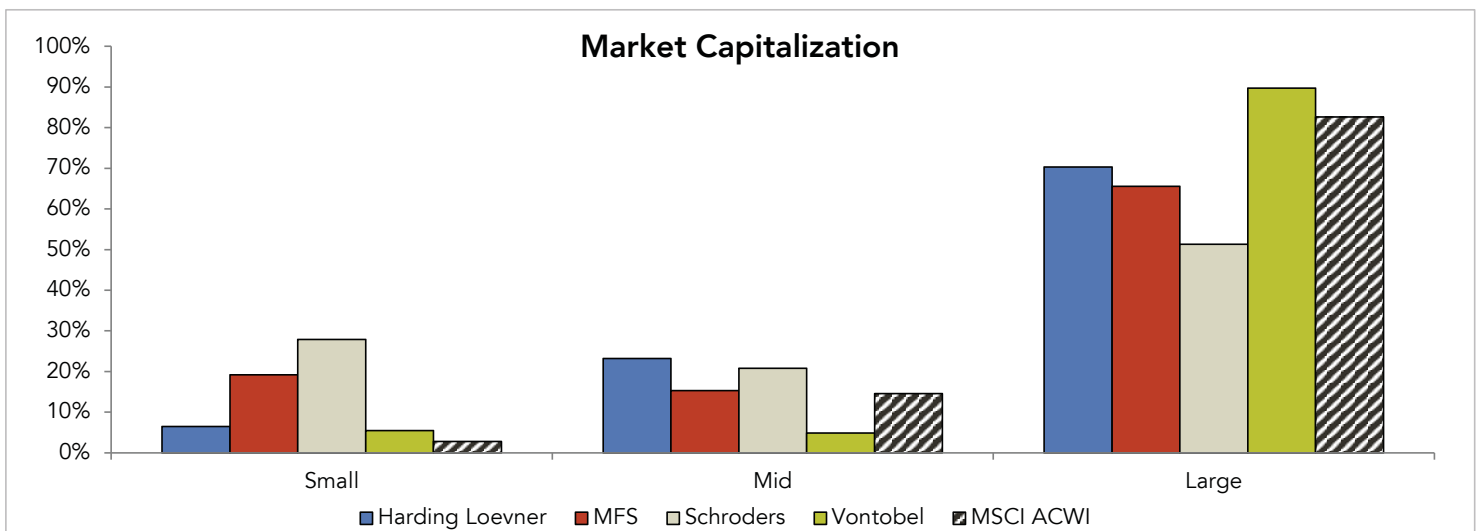
\*Other includes Canada and Israel.



# Strategy Comparison – as of September 30, 2017



## Strategy Comparison – as of September 30, 2017



	Harding Loevner	MFS	Schrodgers	Vontobel	MSCI ACWI
Weighted Avg Mkt Cap (\$B)	77.9	79.6	57.1	160.4	111.2
Median Mkt Cap (\$B)	31.4	22.6	9.9	94.9	10.0

## Strategy Comparison – as of September 30, 2017

	Harding Loevner	MFS	Schroders	Vontobel	MSCI ACWI
Price-to-Earnings	31.8	23.4	19.2	31.9	23.0
Price-to-Book	6.5	4.3	4.4	7.4	3.7
Price-to-Cash Flow	20.8	14.5	13.1	20.2	13.9
Dividend Yield (%)	1.3	2.8	2.6	1.6	2.3

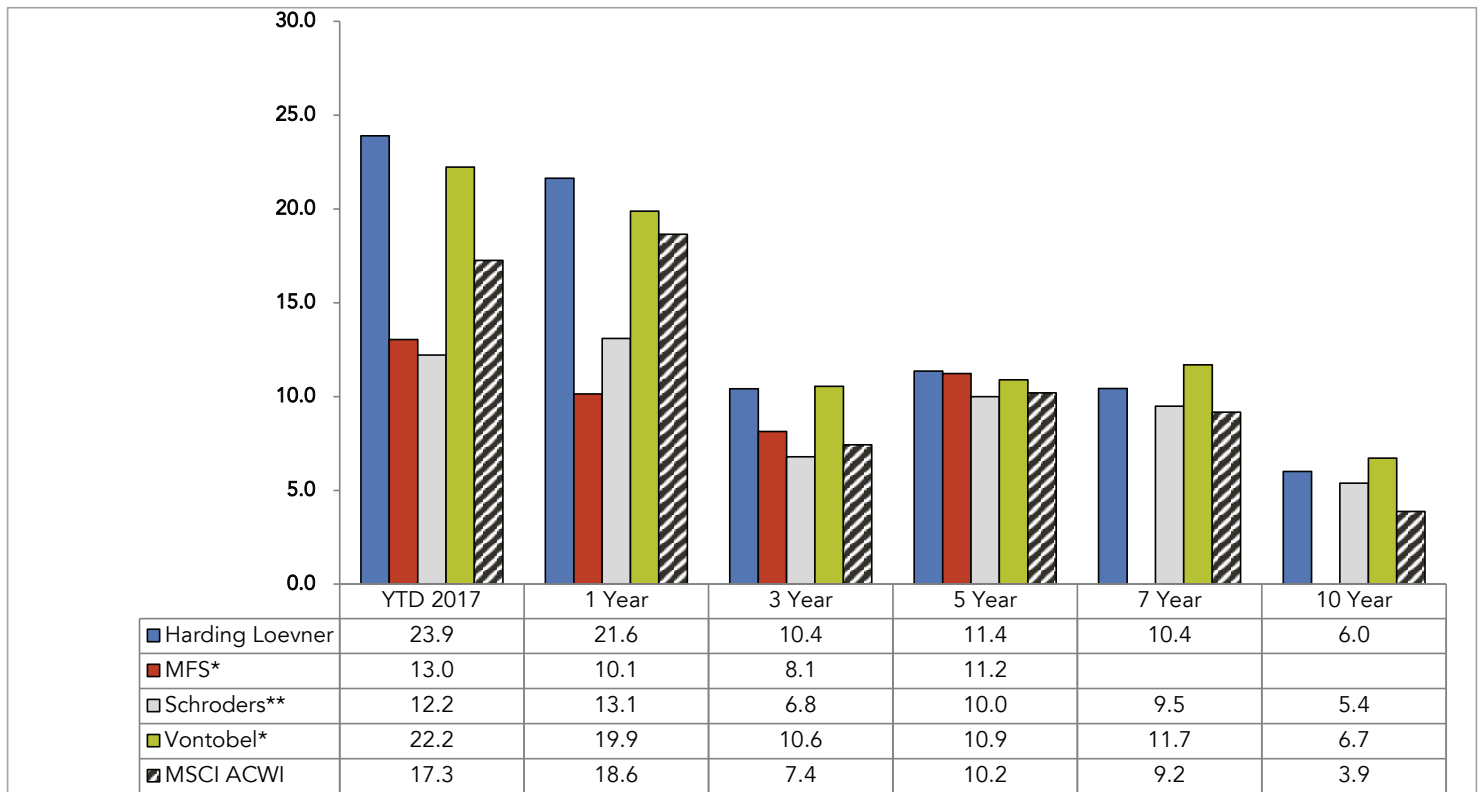
*Price-to-Earnings* – Price per share divided by earnings per share.

*Price-to-Book* – Price per share divided by book value per share.

*Price-to-Cash Flow* – Price per share divided by cash flow per share.

*Dividend Yield* – A valuation ratio calculated as annualized dividend per share divided by price per share.

## Cumulative Returns Annualized (%)

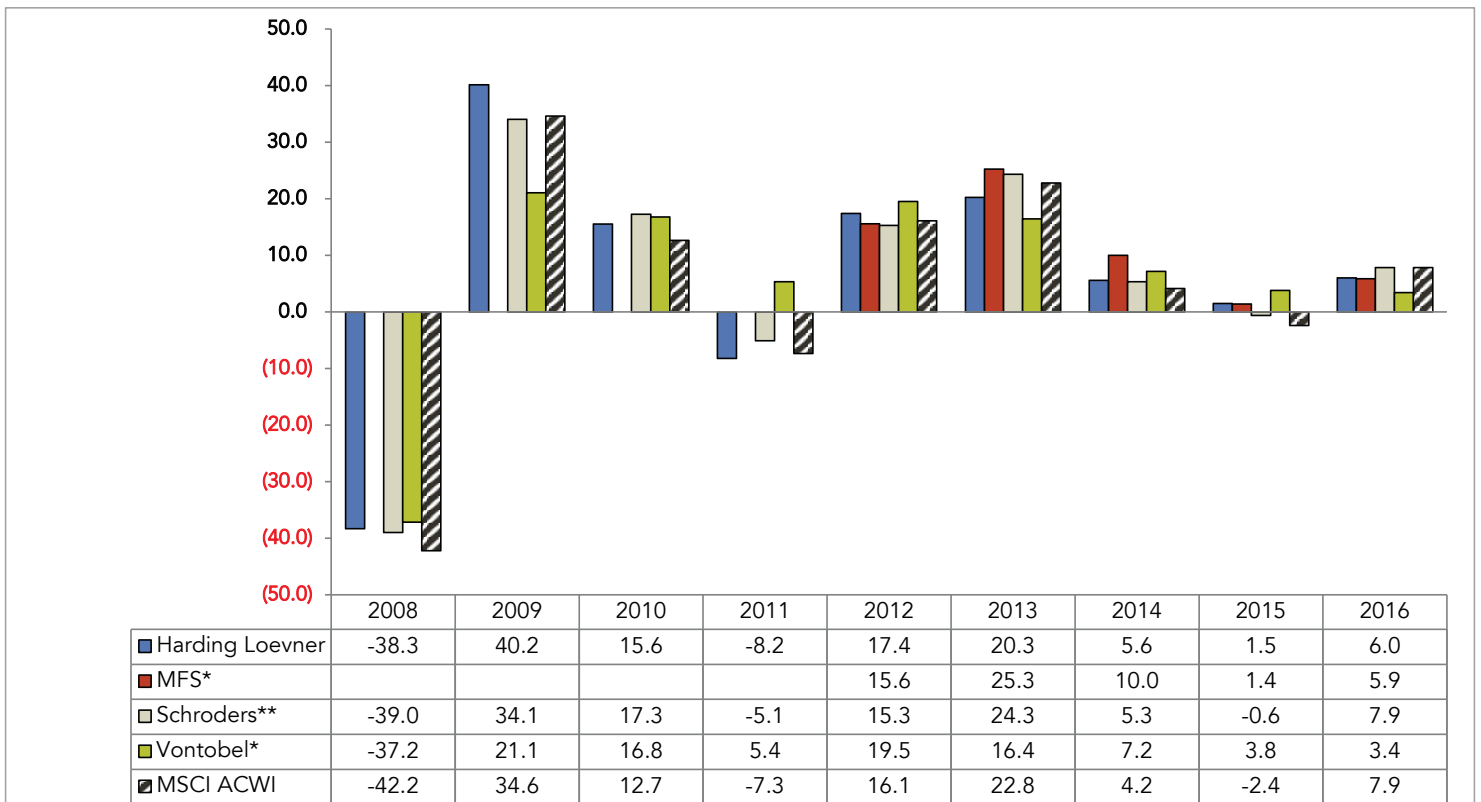


Returns are net of investment management fees through September 30, 2017.

\*MFS and Vontobel returns include composite returns netted by their mutual fund expense ratios prior to the mutual fund inceptions in December 2013 and January 2015, respectively.

\*\*Schroders returns include composite returns netted by CIT fees prior to January 2017 and net CIT returns thereafter.

## Yearly Returns (%)



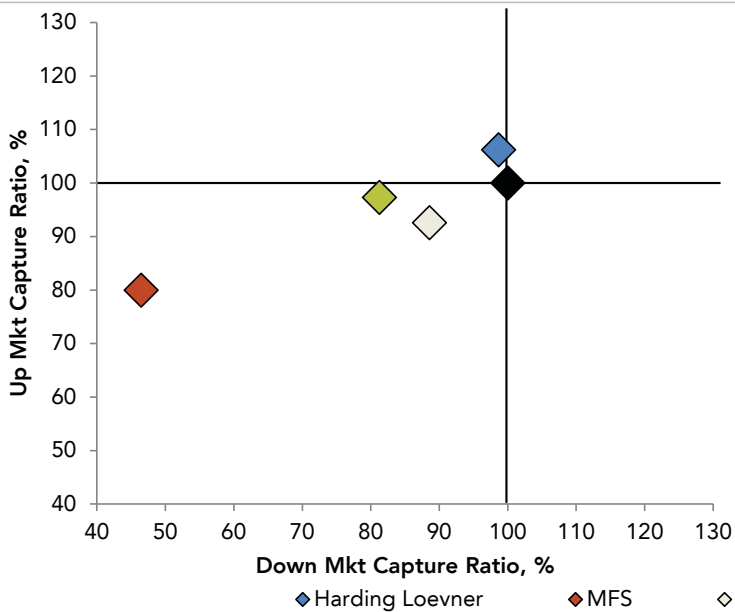
Returns are net of investment management fees.

\*MFS and Vontobel returns include composite returns netted by their mutual fund expense ratios prior to the mutual fund inceptions in December 2013 and January 2015, respectively.

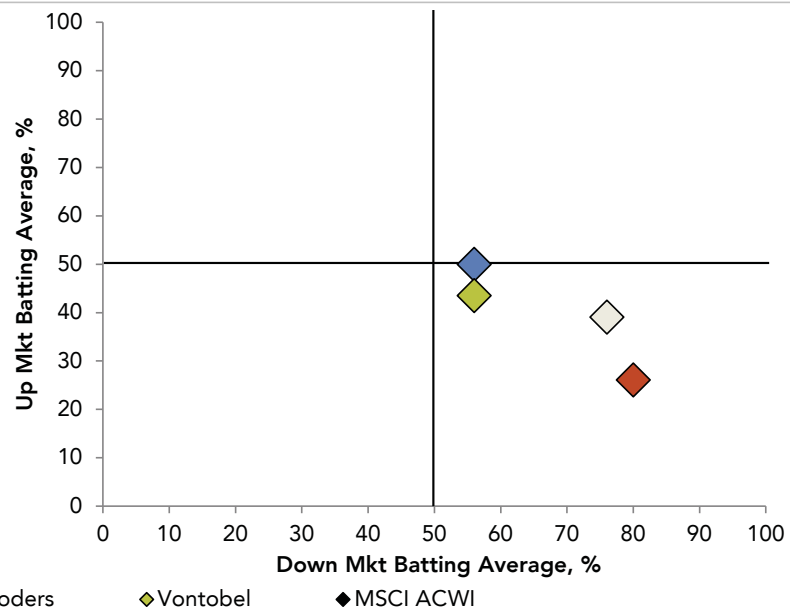
\*\*Schroders returns include composite returns netted by CIT fees prior to January 2017 and net CIT returns thereafter.

# Up/Down Market Participation – Nov. 2011 – Sept. 2017

### Capture Ratio



### Batting Average



**Up Market Capture Ratio – Greater than 100% is considered desirable.** Average return of portfolio divided by index return calculated using only periods with positive market return.  
**Down Market Capture Ratio – Less than 100% is considered desirable.** Average return of portfolio divided by index return calculated using only periods with negative market return.  
**Up Market Batting Average – Higher numbers are considered desirable.** Measures frequency with which manager has beaten benchmark using only periods with positive market return.  
**Down Market Batting Average – Higher numbers are considered desirable.** Measures frequency with which manager has beaten benchmark using only periods with negative market return.



## Risk Statistics – Nov. 2011 – Sept. 2017

	Harding Loevner	MFS	Schroders	Vontobel	MSCI ACWI
Annualized Standard Deviation, %	11.1	8.5	10.1	10.3	10.7
Best 3 Month Return, %	15.9	11.2	11.0	12.1	11.9
Worst 3 Month Return, %	(9.8)	(5.9)	(8.6)	(6.2)	(9.4)
Max Drawdown Return, %	(10.7)	(8.1)	(9.6)	(8.2)	(13.4)
Beta	0.99	0.67	0.93	0.86	-
Tracking Error, %	3.4	5.7	2.1	4.9	-

**Standard Deviation** – Measures volatility of manager's returns. Extent to which returns vary from average return.

**Max Drawdown** – The largest top-to-bottom decline.

**Beta** – Measures portfolio's sensitivity to market movements and used to evaluate market related risk. Beta greater than 1 indicates greater volatility than the market. Beta less than 1 indicates lower volatility than the market.

**Tracking Error** – Measures how closely an investment's returns track the returns of the selected market index. It is the annualized standard deviation of the differences between the investment's and the associated index's returns. If an investment tracks its associated index closely, then Tracking Error will be low. If an investment tracks its associated index perfectly, then Tracking Error will be zero.

Returns are net of investment management fees.

MFS and Vontobel returns include composite returns netted by their mutual fund expense ratios prior to the mutual fund inceptions in December 2013 and January 2015, respectively.

Schroders returns include composite returns netted by CIT fees prior to January 2017 and net CIT returns thereafter.

## Pros & Cons

	Pros	Cons
<b>Harding Loevner</b>	<ul style="list-style-type: none"> <li>▪ Solid long-term performance</li> <li>▪ Lower tracking error</li> </ul>	<ul style="list-style-type: none"> <li>▪ Underperformed in 2011 despite quality tilt</li> <li>▪ More expensive option</li> </ul>
<b>MFS</b>	<ul style="list-style-type: none"> <li>▪ Solid since inception performance</li> <li>▪ Most down-market protection</li> <li>▪ Low cost</li> </ul>	<ul style="list-style-type: none"> <li>▪ Track record does not encompass a full market cycle</li> <li>▪ Highest tracking error</li> </ul>
<b>Schroders</b>	<ul style="list-style-type: none"> <li>▪ Solid long-term performance</li> <li>▪ Well-diversified / lower tracking error</li> <li>▪ Low cost</li> </ul>	<ul style="list-style-type: none"> <li>▪ Not available as a mutual fund</li> <li>▪ Lowest risk-adjusted returns*</li> </ul>
<b>Vontobel</b>	<ul style="list-style-type: none"> <li>▪ Solid long-term performance</li> <li>▪ Strong down-market protection</li> </ul>	<ul style="list-style-type: none"> <li>▪ PM/CIO departure in early 2016</li> <li>▪ Higher tracking error</li> <li>▪ More expensive option</li> </ul>

\*As measured by Sharpe ratio, defined as the strategy's return in excess of the risk-free rate of return, divided by standard deviation of the strategy's return. Measurement period: Nov. 2011 – Sept. 2017.

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# Proposed Rebalancing

# Current Portfolio

	TICKER	TOTAL ASSETS	ALLOCATIONS	REBALANCING	TOTAL ASSETS	ALLOCATIONS	TARGET
<b>Employee Pension Plan</b>		<b>91,575,491</b>	<b>100.0%</b>	<b>0</b>	<b>91,575,491</b>	<b>100.0%</b>	<b>100.0%</b>
<b>U.S. Equity</b>							
Vanguard S&P 500 Index Adm	VFIAX	20,234,168	22.1%	0	20,234,168	22.1%	22.0%
Vanguard Mid Cap Value Index	VMVAX	4,785,015	5.2%	0	4,785,015	5.2%	5.0%
Vanguard Extended Market Index	VEXAX	4,933,459	5.4%	0	4,933,459	5.4%	5.0%
<b>Total U.S. Equity</b>		<b>29,952,642</b>	<b>32.7%</b>	<b>0</b>	<b>29,952,642</b>	<b>32.7%</b>	<b>32.0%</b>
<b>Non-U.S. Equity</b>							
Vanguard Total Int'l Stock Index Adm	VTIAX	3,652,025	4.0%	0	3,652,025	4.0%	4.0%
<b>Total Non-U.S. Equity</b>		<b>3,652,025</b>	<b>4.0%</b>	<b>0</b>	<b>3,652,025</b>	<b>4.0%</b>	<b>4.0%</b>
<b>U.S. Fixed Income</b>							
Wilimington Trust Fixed Income	-	10,897,946	11.9%	0	10,897,946	11.9%	12.0%
<b>Total U.S. Fixed Income</b>		<b>10,897,946</b>	<b>11.9%</b>	<b>0</b>	<b>10,897,946</b>	<b>11.9%</b>	<b>12.0%</b>
<b>Delaware Pooled Fund</b>							
State of Delaware Investment Pool*	-	45,123,457	49.3%	0	45,123,457	49.3%	50.0%
<b>Total Delaware Pooled Fund</b>		<b>45,123,457</b>	<b>49.3%</b>	<b>0</b>	<b>45,123,457</b>	<b>49.3%</b>	<b>50.0%</b>
<b>Cash &amp; Equivalents</b>							
Mutual Fund Cash Account		1,799,518	2.0%	0	1,799,518	2.0%	0.0%
M&T Operating Account (as of September 30, 2017)		149,903	0.2%	0	149,903	0.2%	2.0%
<b>Total Cash &amp; Equivalents</b>		<b>1,949,421</b>	<b>2.1%</b>	<b>0</b>	<b>1,949,421</b>	<b>2.1%</b>	<b>2.0%</b>

Market Values as of August 7, 2017.

\* Market value is an estimate using its Policy Index as a proxy for performance.

	Pre-Rebalancing Allocations				Post-Rebalancing Allocations		
	Portfolio	Target	Difference		Portfolio	Target	Difference
U.S. Equity	32.71%	32.00%	0.71%	U.S. Equity	32.71%	32.00%	0.71%
Non-U.S. Equity	3.99%	4.00%	-0.01%	Non-U.S. Equity	3.99%	4.00%	-0.01%
Fixed Income	11.90%	12.00%	-0.10%	Fixed Income	11.90%	12.00%	-0.10%
Delaware Pooled	49.27%	50.00%	-0.73%	Delaware Pooled	49.27%	50.00%	-0.73%
Cash	2.13%	2.00%	0.13%	Cash	2.13%	2.00%	0.13%
Total	100.00%	100.00%	-	Total	100.00%	100.00%	-

# Proposed

	TICKER	TOTAL ASSETS	ALLOCATIONS	REBALANCING	TOTAL ASSETS	ALLOCATIONS	TARGET
<b>Employee Pension Plan</b>		<b>91,575,491</b>	<b>100.0%</b>	<b>0</b>	<b>91,575,492</b>	<b>100.0%</b>	<b>100.0%</b>
<b>U.S. Equity</b>							
Vanguard S&P 500 Index Adm	VFIAX	20,234,168	22.1%	(3,650,000)	16,584,168	18.1%	18.0%
Vanguard Mid Cap Value Index	VMVAX	4,785,015	5.2%	0	4,785,015	5.2%	5.0%
Vanguard Extended Market Index	VEXAX	4,933,459	5.4%	0	4,933,459	5.4%	5.0%
<b>Total U.S. Equity</b>		<b>29,952,642</b>	<b>32.7%</b>	<b>(3,650,000)</b>	<b>26,302,642</b>	<b>28.7%</b>	<b>28.0%</b>
<b>Global Equity</b>							
New Global Equity Manager	-	0	0.0%	7,300,000	7,300,000	8.0%	8.0%
<b>Total Global Equity</b>		<b>0</b>	<b>0.0%</b>	<b>7,300,000</b>	<b>7,300,000</b>	<b>8.0%</b>	<b>8.0%</b>
<b>Non-U.S. Equity</b>							
Vanguard Total Int'l Stock Index Adm	VTIAX	3,652,025	4.0%	(3,652,025)	0	0.0%	0.0%
<b>Total Non-U.S. Equity</b>		<b>3,652,025</b>	<b>4.0%</b>	<b>(3,652,025)</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>
<b>U.S. Fixed Income</b>							
Wilimington Trust Fixed Income	-	10,897,946	11.9%	0	10,897,946	11.9%	12.0%
<b>Total U.S. Fixed Income</b>		<b>10,897,946</b>	<b>11.9%</b>	<b>0</b>	<b>10,897,946</b>	<b>11.9%</b>	<b>12.0%</b>
<b>Delaware Pooled Fund</b>							
State of Delaware Investment Pool*	-	45,123,457	49.3%	0	45,123,457	49.3%	50.0%
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<b>Cash &amp; Equivalents</b>							
Mutual Fund Cash Account		1,799,518	2.0%	2,025	1,801,543	2.0%	0.0%
M&T Operating Account (as of September 30, 2017)		149,903	0.2%	0	149,903	0.2%	2.0%
<b>Total Cash &amp; Equivalents</b>		<b>1,949,421</b>	<b>2.1%</b>	<b>2,025</b>	<b>1,951,446</b>	<b>2.1%</b>	<b>2.0%</b>

Market Values as of August 7, 2017.

\* Market value is an estimate using its Policy Index as a proxy for performance.

	Pre-Rebalancing Allocations			Post-Rebalancing Allocations			
	Portfolio	Target	Difference	Portfolio	Target	Difference	
U.S. Equity	32.71%	32.00%	0.71%	U.S. Equity	32.71%	32.00%	0.71%
Non-U.S. Equity	3.99%	4.00%	-0.01%	Non-U.S. Equity	3.99%	4.00%	-0.01%
Fixed Income	11.90%	12.00%	-0.10%	Fixed Income	11.90%	12.00%	-0.10%
Delaware Pooled	49.27%	50.00%	-0.73%	Delaware Pooled	49.27%	50.00%	-0.73%
Cash	2.13%	2.00%	0.13%	Cash	2.13%	2.00%	0.13%
<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>-</b>	<b>Total</b>	<b>100.00%</b>	<b>100.00%</b>	<b>-</b>





# Disclosures

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Prepared by Marquette Associates

The sources of information used in this report are believed to be reliable. Marquette associates , Inc. has not independently verified all of the information and its accuracy cannot be guaranteed. Opinions, estimates projections and comments on financial market trends constitute our judgment and are subject to change without notice. References to specific securities are for illustrative purposes only and do not constitute recommendations. Past performance does not guarantee future results.

#### About Marquette Associates

Marquette Associates is an independent investment consulting firm that guides institutional investment programs with a focused three-point approach and careful research. Marquette has served a single mission since 1986 - enable institutions to become more effective investment stewards. Marquette is a completely independent and 100% employee-owned consultancy founded with the sole purpose of advising institutions. For more information, please visit [www.marquetteassociates.com](http://www.marquetteassociates.com).

## ENGINEERING DEPARTMENT

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



# Sussex County

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

## Memorandum

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

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

RE: **TAXIWAY C PAVEMENT REHABILITATION, PHASE I**  
***PROJECT NO. 17-02***  
***FINAL BALANCING CHANGE ORDER/ SUBSTANTIAL COMPLETION***

DATE: December 12, 2017

Delaware Coastal Airport maintains a Pavement Preventive Maintenance Program which regularly assesses the strength and condition of all airfield pavements. Consistent with our own observations and a recent pavement failure involving an aircraft from PATS/ALOFT, a structural evaluation performed in July 2016 rated Taxiway C with reduced allowable loads and need for rehabilitation. This project is the first phase to address that need. Phase II will be performed in Spring 2018 and was made a separate project to accommodate the access needs of ALOFT to/from their hangars.

Bids for Project #17-02, Taxiway C Pavement Rehabilitation, Phase I', were opened on May 11, 2017. The bids ranged from \$560,008.00 to \$973,120.00 with an Engineer's estimate of \$730,900.00.

The low bidder was George & Lynch, Inc., of Dover, Delaware, at the bid amount of \$560,008.00. The final balancing change order adjusts all quantities with a net reduction of \$50,383.72 for a new total contract value of \$509,624.28.

The contract started on September 11, 2017, and was substantially complete on October 10, 2017, thus requiring only 30 calendar days of the allotted 40 calendar days.



# CHANGE ORDER NO. 1

---

## SUSSEX COUNTY CHANGE ORDER REQUEST

### A. ADMINISTRATIVE:

1. Project Name: **Taxiway C Pavement Rehabilitation, Phase 1**
2. Sussex County Contract No. 17-02
3. Change Order No. 1
4. Date Change Order Initiated - 11/29/17
5.
  - a. Original Contract Sum \$560,008.00
  - b. Net Change by Previous Change Orders \$ 0.00
  - c. Contract Sum Prior to Change Order \$ 560,008.00
  - d. Requested Change - (\$50,383.72)
  - e. Net Change (No. of days) -0-
  - f. New Contract Amount \$509,624.28
6. Contact Person Joseph Wright, P.E.  
Telephone No. (302) 855-7718

### B. REASON(S) FOR CHANGE ORDER

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

# CHANGE ORDER NO. 1

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


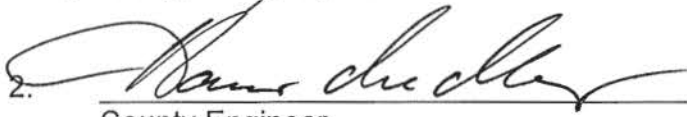
**C. BRIEF DESCRIPTION OF CHANGE ORDER:**

Adjust contract items to final quantities.

**D. JUSTIFICATION FOR CHANGE ORDER INCLUDED:**

Yes      X      No     

**E. APPROVALS**

1.  12/1/17  
George & Lynch, Inc. Date
2.  12/7/17  
County Engineer Date
3. \_\_\_\_\_  
Sussex County Council President Date

Taxiway C Pavement Rehabilitation, Phase 1  
 Sussex County Project 17-02; George & Lynch, Inc.  
 Balancing Change Order (C. O. #1)

WORK ITEMS				As Bid		As-Built			OVER/UNDER TOTAL ITEM PRICE
ITEM NO.	ITEM DESCRIPTION (SEE SPECIFICATIONS AND ADDENDA FOR COMPLETE DESCRIPTIONS)	UNIT	EST. QTY.	BID UNIT PRICE	TOTAL BID ITEM PRICE	FINAL QTY.	UNIT PRICE	TOTAL ITEM PRICE	
P-156	Erosion and Sediement Control	LS	1	\$ 542.00	\$ 542.00	1	\$ 542.00	\$ 542.00	\$ -
P-363	Bituminous Patching	SYN	400	\$ 13.60	\$ 5,440.00	375.70	\$ 13.60	\$ 5,109.52	\$ (330.48)
P-363-1	Bituminous Patching, Concrete	SYN	700	\$ 14.75	\$ 10,325.00	0	\$ 14.75	\$ -	\$ (10,325.00)
P-401	Bituminous Surface Course: Taxiway C	TON	800	\$ 97.80	\$ 78,240.00	679.84	\$ 97.80	\$ 66,488.35	\$ (11,751.65)
P-401-1	Bituminous Surface Course: Apron	TON	1,500	\$ 88.20	\$ 132,300.00	1,271.39	\$ 88.20	\$ 112,136.60	\$ (20,163.40)
P-403	HMA Leveling Course	TON	1,500	\$ 98.80	\$ 148,200.00	1,378.89	\$ 98.80	\$ 136,234.33	\$ (11,965.67)
P-404	Pavement Fabric Interlayer	SY	19,000	\$ 2.78	\$ 52,820.00	18,970	\$ 2.78	\$ 52,736.60	\$ (83.40)
P-620	Permanent Runway & Taxiway Painting	SF	1,300	\$ 2.35	\$ 3,055.00	1,151	\$ 2.35	\$ 2,704.85	\$ (350.15)
T-901	Seeding	SY	500	\$ 1.35	\$ 675.00	491.40	\$ 1.35	\$ 663.39	\$ (11.61)
T-905	Topsoiling	SY	500	\$ 5.15	\$ 2,575.00	491.40	\$ 5.15	\$ 2,530.71	\$ (44.29)
T-908	Mulching	SY	500	\$ 1.05	\$ 525.00	0	\$ 1.05	\$ -	\$ (525.00)
L-126	Adjust Inpavement Light	EA	1	\$ 3,675.00	\$ 3,675.00	1	\$ 3,675.00	\$ 3,675.00	\$ -
X-102	Cold Milling of Pavement	SY	16,100	\$ 1.46	\$ 23,506.00	16,093	\$ 1.46	\$ 23,495.78	\$ (10.22)
M-110	Maintenance and Protection of Airfield Traffic	LS	1	\$ 63,530.00	\$ 63,530.00	1	\$ 63,530.00	\$ 63,530.00	\$ -
M-361A	Joint/ Crack Sealing	LF	18,000	\$ 0.55	\$ 9,900.00	27413.00	\$ 0.55	\$ 15,077.15	\$ 5,177.15
M-120	Mobilization	LS	1	\$ 24,700.00	\$ 24,700.00	1	\$ 24,700.00	\$ 24,700.00	\$ -
	<b>BASE BID</b>			<b>TOTAL</b>	<b>\$ 560,008.00</b>		subtotal	\$ 509,624.28	\$ (50,383.72)
						FINAL	PRICE	<b>\$ 509,624.28</b>	

Total Base Bid \$ 560,008.00

TOTAL over/under runs \$ (50,383.72)

Final Contract Price \$ 509,624.28

## 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

JOSEPH WRIGHT, P.E.  
ASSISTANT COUNTY ENGINEER

## Memorandum

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

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

RE: ***Sussex Shores Subdivision – Chapter 96 Project  
Roadway Improvements-Balancing Change Order and  
Substantial Completion;  
GMB Amendment No. 2***

DATE: December 12, 2017

A formal request to initiate a Chapter 96 project was made by the Sussex Shores HOA on January 16, 2014. After a public meeting on May 24, 2014, and presentation to Council on June 10, 2014, an election was held July 12, 2014, whereby approval was granted to proceed. Separate contracts were bid and awarded for Utility Relocation, Project No. 14-13A and Roadway Improvements, Project 14-13B. Utility relocation work was performed by Delmarva Power, Verizon and Mediacom. Separately, there were also contracts advertised and awarded for Clearing & Grubbing, Fencing, Landscaping and Signage.

GMB performed design work under the Sussex Shores Sussex Community Improvements agreement approved by Council on August 5, 2014, in the amount of \$165,636.00. Subsequently, on September 29, 2015, Council approved Amendment No. 1 with GMB for construction administration services and resident project representative services in the amount of \$178,854.00.

At this time, Amendment No. 2 in an amount not to exceed \$16,162.00 is required to complete all services. Delays in the originally anticipated schedules by Delmarva Power and Verizon, in turn, delayed and extended paving from Spring 2016 into Spring 2017. Originally, unanticipated separate projects for clearing, fencing, landscaping and signage added significant additional coordination work for GMB with the contractors and especially the various HOA committees.



Overall, GMB worked diligently to minimize extra costs, but ultimately the HOA was unable to streamline their coordination, costing themselves many hours of additional meetings, calls and emails. ALL COSTS RELATED TO THESE VARIOUS CONTRACTS, ENGINEERING SERVICES, ETC ARE BEING BILLED TO THE PROPERTY OWNERS AS PER CHAPTER 96 REQUIREMENTS.

In conjunction with the GMB amendment, also included is the balancing change order for Project 14-13B, which reduces that contract amount by \$46,129.64 for a final total of \$318,514.66. The reduction and elimination of contingency items accounts for most of this decrease, along with reduction of several original items based on actual final measurements.

Sussex County Engineering recommends the approval of Change Order No. 1 and Substantial Completion for Sussex Shores - Roadway Improvements, Project 14-13B, as of June 9, 2017.



# Change Order No. 1

Date of Issuance: December 5, 2017

Effective Date: December 5, 2017

Project: Sussex County Improvement (SCI) Project No. 14-13B	Owner: Sussex County Engineering Department	Owner's Contract No.: 14-13B
Contract: Sussex County Improvement (SCI) Project No. 14-13B – Roadway Improvements		Date of Contract: May 2, 2016
George and Lynch, Inc.		Engineer's Project No.: R140148.A

**The Contract Documents are modified as follows upon execution of this Change Order:**

Description:

Adjustment for Final Quantities/Balancing Change Order.

**Attachments (list documents supporting change):**

Final Quantity Tabulation Spreadsheet

**CHANGE IN CONTRACT PRICE:**

**CHANGE IN CONTRACT TIMES:**

Original Contract Price:

\$364,644.30

Original Contract Times:  Work days  Calendar days

Substantial completion (days or date): 60

Ready for final payment (days or date): 60

[Increase] [Decrease] from previously approved Change Orders No.      to No.     :

\$                     

[Increase] [Decrease] from previously approved Change Orders No.      to No.     .

Substantial completion (days):                     

Ready for final payment (days):                     

Contract Price prior to this Change Order:

\$364,644.30

Contract Times prior to this Change Order:

Substantial completion (days or date): 60

Ready for final payment (days or date): 60

[Increase] [Decrease] of this Change Order:

\$46,129.64

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date):                     

Ready for final payment (days or date):                     

Contract Price incorporating this Change

\$318,514.66

Contract Times with all approved Change Orders:

Substantial completion (days or date): 60

Ready for final payment (days or date): 60

RECOMMENDED:

By: Vincent Luciani  
Engineer (Authorized Signature)

Date: 12/5/17

Approved by Funding Agency (if applicable):

ACCEPTED:

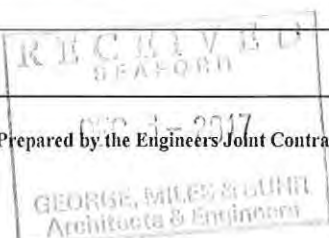
By:                                       
Owner (Authorized Signature)

Date:                                     

ACCEPTED: George Lynch Inc.

By: Chris Lynch  
Contractor (Authorized Signature) **CFO**

Date: 12-5-17



12-5-17  
Cheryle FONEILL

EJCDC C-941 Change Order Prepared by the Engineers Joint Contract Documents Committee and endorsed by the Construction Specifications Institute.

R140148

00827 - 1



PROJECT NO. 14-13 B  
ROADWAY IMPROVEMENTS  
FINAL BALANCING CHANGE ORDER TABULATION  
December 5, 2017

NO.	ITEM	SIZE OR DEPTH	UNIT	QUANTITY	CONTRACT AMOUNT		AS-BUILT		ADJUSTMENT
					UNIT PRICE	TOTAL PRICE	AS-BUILT QTY	AS-BUILT COST	
A-1	Mobilization	LS		1	\$ 17,500.00	\$ 17,500.00	1	\$ 17,500.00	\$ -
A-2	Recycled Bituminous Base Course (6" Depth)	6"	SY	11,550	\$ 3.25	\$ 37,537.50	9,194.00	\$ 29,880.50	\$ (7,657.00)
A-3	Roadway Excavation		CY	950	\$ 12.70	\$ 12,065.00	273.00	\$ 3,467.10	\$ (8,597.90)
A-4	Furnish and Install Bituminous Concrete Binder Course	-	SY	11,550	\$ 8.62	\$ 99,561.00	9,194.00	\$ 79,252.28	\$ (20,308.72)
A-5	Furnish and Install Bituminous Concrete Surface Course		SY	11,550	\$ 6.42	\$ 74,151.00	10,943.72	\$ 70,258.68	\$ (3,892.32)
A-6	RipRap Swales		CY	60	\$ 1.98	\$ 118.80	56.68	\$ 112.23	\$ (6.57)
A-7	Private Property Transitions	-	LS	1	\$ 85,000.00	\$ 85,000.00	1	\$ 85,000.00	\$ -
A-8	F&I (7) Speed Humps	-	LF	150	\$ 84.14	\$ 12,621.00	123.00	\$ 10,349.22	\$ (2,271.78)
<b>PART A SUBTOTAL</b>						<b>\$338,554.30</b>		<b>\$ 295,820.01</b>	<b>\$ (42,734.29)</b>

**PART B: CONTINGENT BID ITEMS**

B-1	Excavation Below Subgrade	-	CY	200	\$ 27.20	\$ 5,440.00	0	\$ -	\$ (5,440.00)
B-2	Furnish and Install 6" Graded Aggregate Type B Base Course	-	CY	200	\$ 66.60	\$ 13,320.00	0	\$ -	\$ (13,320.00)
B-3	Furnish and Place Special Backfill (Type "C")	-	CY	100	\$ 25.70	\$ 2,570.00	20.69	\$ 531.73	\$ (2,038.27)
B-4	Miscellaneous Excavation and Backfill	-	CY	50	\$ 27.20	\$ 1,360.00	20.69	\$ 562.77	\$ (797.23)
B-4	Furnish and Replace Miscellaneous Concrete	-	CY	10	\$ 340.00	\$ 3,400.00			\$ (3,400.00)
S-1	Conduit Installation on Collins	-						\$ 5,860.00	\$ 5,860.00
S-2	Milling at Bennett	-						\$ 5,625.00	\$ 5,625.00
S-3	Additional Parts for Speed Bumps	-						\$ 295.15	\$ 295.15
S-4	Striping	-						\$ 9,820.00	\$ 9,820.00
<b>PART B SUBTOTAL</b>						<b>\$26,090.00</b>		<b>\$22,694.65</b>	<b>-\$3,395.35</b>
<b>TOTALS:</b>						<b>\$364,644.30</b>		<b>\$ 318,514.66</b>	<b>\$ (46,129.64)</b>

FINAL  
CHANGE  
ORDER  
AMOUNT: \$ (46,129.64)



GEORGE, MILES & BUHR, LLC

Route to: 1	JAS	2-	
		3-	
		4-	
		5-	
		6-	
File No.:	R140148.A		
File Name:	Letters		

July 27, 2017

ARCHITECTS  
ENGINEERS

400 HIGH STREET  
SEAFORD, DE 19973  
PH: 302.628.1421  
FAX: 302.628.8350

SALISBURY  
BALTIMORE  
SEAFORD

www.gmbnet.com

Sussex County Engineering Department  
P.O. Box 589  
Georgetown, DE 19947

Attn: Joseph Wright, P.E.

Re: Sussex County Improvement (SCI) Project No. 14-13B  
Roadway Improvements  
Substantial Completion/Conditional Acceptance

Dear Mr. Wright,

It is GMB's recommendation that the work on the Sussex County Improvement (SCI) Project No. 14-13B – Roadway Improvements be declared substantially complete in accordance with the Contract Documents as of June 9, 2017 and that the 60 day Conditional Acceptance period begin. Please note that the commencement of the applicable warranties required by the Contract Documents begins on the date of the completion of the Conditional Acceptance period.

A "Punch-List" of items to be completed or corrected is attached hereto. This list may not be all-inclusive, and the failure to include an item in it does not alter the responsibility of the CONTRACTOR to complete all Work in accordance with the Contract Documents. The items in the tentative list shall be completed or corrected by the CONTRACTOR within 60 days of the above date of Substantial Completion.

If there are any questions, or if you require any additional information, please feel free to call.

Sincerely,

Vincent Luciani, P.E.  
Senior Project Manager, Associate

VAL/ccd

Enclosure

cc: SCED: Attn: Patti Deptula, (w/encl.)  
SCED: Attn: Helen Naylor (w/encl.)  
George & Lynch, Inc: Attn: Anthony Taddeo

JAMES H. WILLEY, JR., PE  
PETER A. BOZICK, JR., PE  
JUDY A. SCHWARTZ, PE  
CHARLES M. O'DONNELL, III, PE  
W. BRICE FOXWELL, PE  
A. REGGIE MARINER, JR., PE  
JAMES C. HOAGSON, PE  
STEPHEN L. MARSH, PE  
DAVID A. VANDERBEEK, PE  
ROLAND E. HOLLAND, PE  
JASON M. LYTLE, PE  
CHRIS B. DERBYSHIRE, PE  
W. MARK GARDOCKY, PE  
MORGAN H. HELFRICH, AIA  
KATHERINE J. MCALLISTER, PE

JOHN E. BURNSWORTH, PE  
MICHAEL G. KOBIN, PE  
VINCENT A. LUCIANI, PE  
JERRY KOTRA  
ANDREW J. LYONS, JR., PE

Sussex County Improvement (SCI) Project No. 14-13B  
Roadway Improvements  
Punchlist  
July 27, 2017

- Remove asphalt from manhole lids.
- Provide additional pine straw mulch in some areas along Surf Road.
- Monitor and correct potential drainage issue at Ocean Road and Evans Road. (There was standing water at the intersection during the inspection of July 13, however, nearby sump pumps were operating at the time, so it was difficult to fully assess the problem).
- There were several driveways where the gravel used to transition to the existing gravel driveway did not completely match in size and/or color. It was agreed that these would be monitored for determination of the homeowner's satisfaction. If dissatisfaction was expressed, these areas would be addressed.
- Several areas around transformers or pullboxes were disturbed and not restored to existing conditions. G&L is not responsible for these areas and they are not considered punchlist items, however, G&L may be directed to address these as a change order to its contract.

## SUSSEX SHORES COMMUNITY IMPROVEMENTS

### SUSSEX COUNTY, DELAWARE

### CONTRACT AMENDMENT NO. 2

This contract amendment, **Contract Amendment No. 2**, dated **December 12, 2017** amends our original contract dated **August 12, 2014** between Sussex County, a political subdivision of the State of Delaware, as First Party, hereinafter referred to as the COUNTY and George, Miles and Buhr, LLC, a State of Delaware Limited Liability Corporation, as the Second party hereinafter referred to as the CONSULTANT, whose address is 400 High Street, Seaford, DE 19973. Except as specifically amended herein, the provisions of the existing engineering services agreement dated August 12, 2014 remain in effect and fully valid. By execution of this amendment, the following sections delete the existing Section and replace below.

#### ARTICLE FOUR

#### FEE STRUCTURE

- 4.4 In accordance with the method of fee determination described in Articles 4.3.1, 4.3.2, 4.3.3 and 4.3.4 of this Agreement, the total compensation and reimbursement obligated and to be paid the CONSULTANT by the COUNTY for the CONSULTANT's Scope of Services for **Sussex Shores Community Improvements Additional Construction Administration and RPR Services as set forth in Attachment A-2**, which is attached hereto and incorporated by reference, shall not exceed **Sixteen Thousand Two Hundred Sixteen and 00 Dollars (\$16,216.00)**. In the event of any discrepancy or inconsistency between the amounts set forth in this Article 4.4 and any appendices, exhibits, attachments or other sections of this Agreement, the amounts set forth in this Article 4.4.2 shall govern.

#### ARTICLE 14

#### INCORPORATED DOCUMENTS

- 14.1.4 Attachment A-2: Consultant's Scope of Services Sussex Shores Community Improvements Additional Construction Administration and RPR Services with Man Hour Spreadsheets.



By execution of this Amendment, the following sections are amended by addition of the underlined language set forth below:

- 2.4 The Consultant shall perform the Scope of Services attached hereto as Attachment A-2 and all additional Scopes of Services as later may be separately set forth as consecutively numbered subsets of Attachment A.
- 4.3 The COUNTY shall pay the CONSULTANT for the satisfactory completion of the Scope of Service set forth in Attachment A-2 and all additional Scopes of Services as later may be separately set forth as consecutively numbered subsets of Attachment A. based on and limited to the following method of determination....”

IN WITNESS WHEREOF, the parties hereunto have caused this Amendment No. 2 to this Agreement to be executed on the day and year first written hereof by their duly authorized officers.

SEAL

FOR THE COUNTY:  
SUSSEX COUNTY

\_\_\_\_\_  
President, Sussex County Council  
Michael Vincent

\_\_\_\_\_  
Date

PREVIOUSLY APPROVED FORM

ATTEST:

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

FOR THE CONSULTANT:

GEORGE, MILES & BUHR, LLC

*Judy A. Schwartz*  
Judy A. Schwartz, P.E, Senior VP

WITNESS:

*Catherine Crewe Dickerson*  


## CONTRACT AMENDMENT NO. 2

### ATTACHMENT A-2 – SCOPE OF SERVICES

#### ADDITIONAL CONSTRUCTION ADMINISTRATION AND RPR SERVICES

This attachment outlines additional Scope of Services provided for the Sussex Shores Modification of Construction Administration and Construction Coordination Services. The extent of these services are as follows:

- a. **Construction Administration and Construction Coordination Services beyond the established construction completion date.** The original project completion date for the project was projected to be January, 2017. That completion date was based on projections provided in GMB's Construction Administration and Construction Coordination services contract as outlined in Amendment No. 1. There were delays in completion of the work particularly with completion of the public utility installation work (Delmarva, Verizon and Mediacom). It was anticipated that the various utility companies would complete their work in four (4) months. The actual duration of the utility company work exceeded 9 months. This resulted in GMB providing supplemental Construction Administration and Construction Coordination services as outlined in Amendment No. 1. These services included conducting additional coordination and liaison services, conducting additional construction progress meetings, and response to RFI's.
- b. **RPR Services beyond the established construction date.** As discussed in the previous paragraph, the duration of the work exceeded the anticipated projections, thus, requiring additional resident project representation services.
- c. **Expansion of Scope Items:** The scope of the project work related to the restoration of a buffer area along Ocean Road expanded significantly from the original project scope. The community formed a committee whose primary objective was the aesthetic restoration of the buffer area. The committee requested complete clearing of the Ocean Road buffer with the installation of decorative fencing and landscaping along the full length. Three (3) separate contracts were solicited for each of the work items (i.e., clearing, fencing, and landscaping). GMB performed design services, bidding services and construction inspection for each of the contracts. GMB's s construction coordination services Construction Administration and Construction Coordination services as outlined in Amendment No. 1 did not include these services.

PROGRAM MANHOOR ESTIMATES, DIRECT EXPENSES, SUBCONTRACTS & FIXED FEE					
FEE ESTIMATE FOR ADDITIONAL CONSTRUCTION ADMINISTRATIVE AND RPR SERVICES					
1. Grantee <b>Sussex County, Delaware</b>			2. Grant Number		
3. Name of Consultant <b>George, Miles &amp; Buhr, LLC</b>			4. Date of Proposal 12-Dec-17		
5. Address of Consultant 400 High Street Seaford, Delaware 19973		6. TYPE OF SERVICE TO BE FURNISHED <b>Sussex Shores Community - Additional Fee</b> <b>Sussex Shores, Delaware</b>			
PART II - COST SUMMARY					
7. DIRECT LABOR		ESTIMATED HOURS	HOURLY RATE	ESTIMATED COST	TOTALS
Project Director		5	\$ 59.65	\$ 298.25	
Sr Project Manager		75	\$ 49.25	\$ 3,693.75	
Landscape Architect		5	\$ 38.25	\$ 191.25	
Sr Designer		0	\$ 24.90	\$ -	
Administrative Support		8	\$ 19.00	\$ 152.00	
CADD /Technician		4	\$ 20.00	\$ 80.00	
RPR		40	\$ 25.00	\$ 1,000.00	
Surveyor		0	\$ 30.75	\$ -	
	<b>DIRECT LABOR TOTAL:</b>	137			\$ 5,415
8. INDIRECT COSTS		RATE	x BASE =	ESTIMATED COST	
Overhead and Fringe		1.64	\$ 5,415.25	\$ 8,881	
	<b>INDIRECT COSTS TOTAL:</b>				\$ 8,881
9. OTHER DIRECT COSTS					ESTIMATED COST
a. TRAVEL					
(1) TRANSPORTATION	mileage	500	mi @ \$0.48/mi	\$ 240.00	
(2) PER DIEM	meals				
	<b>TRAVEL SUBTOTAL:</b>			\$ 240.00	
b. EQUIPMENT, MATERIALS, SUPPLIES		QTY.	COST	ESTIMATED COST	
	plots/prints	10	\$ 3.00	\$ 30.00	
	copies	100	\$ 0.20	\$ 20.00	
	postage	1	\$ 200.00	\$ 200.00	
	other			\$ -	
	<b>EQUIPMENT SUBTOTAL:</b>			\$ 250	
c. SUBCONTRACTS					
	<b>SUBCONTRACTS SUBTOTAL:</b>			\$ -	
	<b>OTHER DIRECT COSTS TOTAL:</b>				\$ 490
<b>10. ESTIMATED COST</b>					\$ 14,786
<b>11. FIXED FEE</b>	10% of Direct Labor and Indirect Costs (7 + 8)				\$ 1,430
<b>12. TOTAL ESTIMATED COST PLUS FIXED FEE</b>					\$ 16,216



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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: December 7, 2017

RE: County Council Update Report for CU 2102 Arturo Granados-Gonzalez

---

The County Council held a public hearing on October 31, 2017 (CU 2102 Arturo Granados-Gonzalez) to allow for concrete form business and equipment storage. The County Council left the record open for the purpose of receiving information regarding the septic system from DNREC and accident information.

The following is the response from DNREC regarding the septic system:

There is no septic permit for that parcel on file. Records date back to 1985.

Staff notes that this does not mean there is not a septic system on the property. There is a possibility that the septic system pre-dates DNREC records.

The following is the response from DelDOT regarding traffic accidents:

There have been four (4) accidents in the vicinity of property since 11-29-2014 and 11-29-2017. No fatalities.



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

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: December 8, 2017

RE: County Council Memo re: Sign Ordinance Update

---

On Tuesday December 12, 2017 Steve Hickman and I will give a presentation on enforcement of the new sign ordinance. Please let me know if there is anything you would like us to cover in the presentation.



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

JANELLE M. CORNWELL, AICP  
PLANNING & ZONING DIRECTOR  
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janelle.cornwell@sussexcountyde.gov



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: December 7, 2017

RE: County Council Old Business Report for CZ 1827 Fenwick Commons, LLC and CU 2098 Fenwick Commons, LLC

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The County Council held a public hearing on November 14, 2017. The County Council deferred action for further consideration.

The following are the minutes and motion for the Change of Zone and Conditional Use applications from the October 12, 2017, October 26, 2017 and November 16, 2017 Planning and Zoning Commission meetings.

The applicant requested that both of these applications be consolidated into a single public hearing. Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, comments from the Sussex Conservation District, results from the DelDOT Service Level Evaluation that stated a TIS is not required, site plan, exhibit book, PLUS letter, and six letters of opposition.

The Commission found that Gene Bayard, Esquire of Morris James Wilson Halbrog and Bayard, LLP and Ken Christenbury, with Axiom Engineering were present on behalf of the application; that Mr. Bayard spoke that the area has transitioned over 12 years from a low density to a medium density residential area with over 1,200 homes from 2005 to 2017; that an application in a B-1 district of 3 acres and 12.3 acres for MR-RPC was approved last year for 4.8 units per acre; that the Change of Zone is in character of the area and with the Comprehensive Plan; that there are no site development issues; that there is water and sewer in the area; that there no traffic issues per DelDOT; that it is a single parcel; that is a one phase project; that the applicant made the decision not to apply for a MR-RPC classification, instead to apply for a MR application with a Change of Zone with a Conditional Use; that MR will give the County more control of approving a project; that there are a lot of MR-RPC's in the area along with B-1 and C-1 uses; that Mr. Christenbury spoke that the site is a soybean field with woods; that there is a cemetery on site and it will be protected; that a DelDOT report did not require a TIS; that the first site plan submittal initially showed 62 units; that there will be a multi-modal path to connect a bike trail; that the wetlands are on the east side of Sand Cove Road; that the project went from 62 units down to 52 units to create better access for the cemetery and the amenities; that there will be 20 foot buffer around the cemetery and keep the existing woodlands in that area; that a ESDA report was prepared; that



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

Artesian will provide water and the County will provide the sewer; that per a report from Mr. Otter regarding the cemetery they redesigned to allow for easier parking to the amenities and the cemetery; that a fence will be put up around the cemetery; that this application accompanies a Conditional Use application; that it complies with 99-9C; that it will have a 20 foot forested buffer around the perimeter; that they have preserved 60 percent of the forest; that they may be able to keep a 100 year old red oak tree; that the stormwater pond will be located in the front; that the existing site is an agricultural field and uses manure as fertilizer; that going to single family will reduce pollution; that they will comply with the Sussex Conservation District; that DelDOT will make improvements to the intersection; that the developer will make additional improvements through Right-of-Way dedication; that will have a deceleration lane and no left turn lane; that a pedestrian trail will connect to the Bayside trail; that this will have no negative impact on values or schools; that this project is no longer a 62 unit development; that there is a 14 foot dedication from the corner to the first 100 feet and the rest of the property has a ten foot dedication; that on Sand Cove Road there is a 15 foot dedication for the entire front and a 19 foot dedication for the first 76 feet; that there will be a ten foot wide multi-modal path and will be built by the client; that the distance from Route 54 to the entrance to the project is approximately 250 feet to 300 feet; that a TIS and TOA were not required; that the amenities will be done by the 26<sup>th</sup> Certificate of Occupancy; that this project is a thoughtful design and it has been scaled back; that it is 41 percent of open space not including the stormwater pond and including two acres of preserved proposed trees; that this project is density is 3.90 units per acre; that a 185 foot long deceleration lane is on Sand Cove Road; that DelDOT is working on the intersection and the applicants not sure what plans they have for the intersection; that a sliver of land on the east side of Sand Cove Road with a ditch will help with drainage; that the drainage will head south away from Route 54; that the ditch is five to six feet deep and will not impact surrounding properties; that there will be one entrance and exit; that they could look at interconnectivity but believe people don't want it; that the interconnectivity is only for emergencies and will be addressed; that they are comparing density to just one phase in America Bayside which is the Melson property phase.

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

The Commission found that Christopher W. Magee, Ed Waysz, and Barbara Shamp spoke in opposition to the application; that Mr. Magee stated that the hundred year old meadow has a cesspool from the old house and nobody has dug it up; that they have concerns with drainage; that the tax ditch is three and a half feet deep; that there is a severe drainage issue with the tidal ditch; that the farm field is a buffer for the water to go in; that the tax ditch is feeding all that water from the development and backups; that there are concerns with the pond and that his produce will get wet which will hurt his business; that there are tractors and other ag equipment on the road; that Mr. Waysz stated that Sand Cove Road is not big enough and only 12 feet wide; there they have concerns with the traffic; that when is enough, enough; that Route 54 won't be increased to capacity; that Ms. Shamp stated that she attended a DelDOT meeting and people were angry about the new Royal Farms and DelDOT stated it won't cause any traffic problems; that she can't get out of her development for two and a half months from Thursday to Sunday night; that Hurricane Sandy flooded Route 54 and couldn't get out for 3 days; that there has been two 1000 year storms since Hurricane Sandy that lasted less than 24 hours; that when Route 54 is flooded, people will not be able to evacuate.

At the conclusion of the public hearings, the Commission discussed these applications.

Motion by Mr. Hudson, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration for Change of Zone 1827. Motion carried 5-0.

Motion by Mr. Hudson, seconded by Mr. Wheatley, and carried unanimously to defer action for further consideration for Conditional Use 2098. Motion carried 5-0.

At their meeting on October 26, 2017, the Planning Commission deferred action for further consideration of Change of Zone 1827 Fenwick Commons, LLC. Motion carried 5-0.

At their meeting on October 26, 2017, the Planning Commission deferred action for further consideration for Conditional Use 2098 Fenwick Commons, LLC. Motion carried 5-0.

At their meeting on November 16, 2017, the Commission discussed this application which has been deferred since October 12, 2017.

Mr. Hudson, moved that the Commission recommend approval of Change of Zone #1827 for Fenwick Commons, LLC for a change in zone from AR-1 to MR based upon the record made during the public hearing and for the following reasons:

1. The project is located in the Environmentally Sensitive Developing Area according to the County Comprehensive Land Use Plan. MR Zoning is appropriate in the area according to the Plan.
2. The proposed MR Zoning meets the purpose of the Zoning Ordinance in that it promotes the orderly growth of the County in an appropriate location.
3. The property is surrounded by land that is currently zoned MR. In addition, there are other properties in the area that are zoned MR, along with C-1 and B-1 as well as the Bayside project. This rezoning is an infill of MR zoning, and it also consistent with other zoning and land uses in the area.
4. The rezoning to MR will not have an adverse impact on neighboring properties or the community.
5. MR zoning is appropriate for this site because medium density development is appropriate in areas where central water and sewer are available. In this case, sewer service will be provided by Sussex County and adequate wastewater capacity is available. Water service will be provided by a publicly regulated water company.

Motion by Mr. Hudson, seconded by Mr. Hopkins, and carried three (3) to one (1) to forward this application to the Sussex County Council with the recommendation that the application be approved for the reasons stated. Motion carried 3-1. Ms. Stevenson voted against the motion.

The Commission discussed this application which has been deferred since October 12, 2017.

Mr. Hudson, moved that the Commission recommend approval for Conditional Use #2098 for Fenwick Commons, LLC for multi-family dwellings in and MR Medium Density Residential District based upon and for the following reasons:

1. This application seeks the approval of 52 family duplex-type structures on 13.1 acres, for density of approximately 3.9 units per acre.
2. The property is in an area where other residential development has occurred, including the large mixed-use Bayside Development and other single family and multi-family developments. This project is consistent with those nearby uses.

3. The site is in the Environmentally Sensitive Developing Area according to the Sussex County Comprehensive Plan. This type of development is appropriate in this Area according to the Plan.
4. The proposed development will not have an adverse impact on the neighboring properties or roadways.
5. The proposed density is within the allowable density in the MR District, and it is less than the density of the nearby Bayside project at 4.8 residential units per acre.
6. The project will have 41% open space, including preservation of 65% of the existing forest. The design also provides protection to the Hudson Family Cemetery on the site.
7. Although this is a Conditional Use, the items set forth in Section 99-9C of the Subdivision Code have also been favorably addressed by the applicant.
8. The development will be served by central sewer provided by Sussex County.
9. This recommendation is subject to the following conditions.
  - A. The maximum number of residential units shall be 52.
  - B. All entrances, intersections, roadway and multi-modal improvements shall be completed by the developer in accordance with all DelDOT requirements.
  - C. The project shall be served by Sussex County sewer. The developer shall comply with all Sussex County Engineering Department requirements including any offsite upgrades necessary to provide service to the project.
  - D. The project shall be served by central water to provide drinking water and fire protection.
  - E. Interior Street design shall meet or exceed the Sussex County street design requirements.
  - F. As proffered by the applicant, there shall be sidewalks on both sides of all streets and roadways.
  - G. The applicant shall submit as part of the Final Site Plan a landscape plan showing the proposed tree and shrub landscape design, including any buffer areas. The landscape plan shall clearly designate all existing forested areas that will be preserved (65% of the existing forested area, according to the Applicant).
  - H. All construction and site work on the property, including deliveries of materials to or from the property, shall only occur between 7 am and 6 pm Monday through Saturday.
  - I. Street naming and addressing shall be subject to the review and approval of the County Mapping and Addressing Departments.
  - J. The applicant shall form a homeowners' or condominium association responsible for the perpetual maintenance, repair and replacement of the roads, any buffers and landscaping, stormwater management facilities, erosion and sediment control facilities and other common elements.
  - K. The stormwater management system shall meet or exceed the requirements of the State and County. It shall be constructed and maintained using best management practices.
  - L. The Final Site Plan shall contain the approval of the Sussex County Conservation District for the design and location of all stormwater management areas and erosion sedimentation control facilities.
  - M. The developer, and then the HOA or Condo Association shall protect and preserve the Hudson Family Cemetery on the property by installing a perimeter fence around the cemetery made of wrought iron or anodized aluminum. Parking shall also be provided in common with the amenity area parking lot for the Hudson family members wishing to visit the cemetery. Access to the cemetery shall be shown on the Final Site Plan.
  - N. The applicant shall coordinate with the Indian River School district to establish a school bus stop area, which shall be shown on the Final Site Plan if required by the District.

- O. The Final Site Plan shall be subject to the review and approval of the Sussex County Planning and Zoning Commission.

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



**Introduced 05/23/17**

**Council District No. 5 - Arlett  
Tax I.D. No. 533-19.00-52.00  
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 MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.33 ACRES, MORE OR LESS**

**WHEREAS, on the 25th day of April 2017, a zoning application, denominated Change of Zone No. 1827, was filed on behalf of Fenwick Commons, 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. 1827 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 Medium Density Residential District as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying at the southwest corner of Lighthouse Road (Route 54) and Sand Cove Road, and the east side of Sand Cove Road, approximately 211 feet south of Lighthouse Road (Route 54), and being more particularly described per the attached deed prepared by Parsons & Weidman, P.A., said parcel containing 13.33 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

**Introduced 05/23/17**

**Council District No. 5 – Arlett  
Tax I.D. No. 533-19.00-52.00  
911 Address: Not Available**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN A MR MEDIUM DENSITY RESIDENTIAL DISTRICT FOR A MULTI-FAMILY (62 DUPLEX UNITS) STRUCTURE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 13.33 ACRES, MORE OR LESS**

**WHEREAS, on the 25th day of April 2017, a conditional use application, denominated Conditional Use No. 2098, was filed on behalf of Fenwick Commons, 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 Conditional Use No. 2098 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 V, Subsection 115-31, Code of Sussex County, be amended by adding the designation of Conditional Use No. 2098 as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying at the southwest corner of Lighthouse Road (Route 54) and Sand Cove Road, and the east side of Sand Cove Road, approximately 211 feet south of Lighthouse Road (Route 54), and being more particularly described per the attached deed prepared by Parsons & Weidman, P.A., said parcel containing 13.33 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.**



**SUSSEX COUNTY GOVERNMENT**  
**GRANT APPLICATION**

**SECTION 1 APPLICANT INFORMATION**

ORGANIZATION NAME: Nanticoke Health Foundation

PROJECT NAME: Holiday Prescription Drug Funding

FEDERAL TAX ID: 81-029388 2731803 NON-PROFIT:  YES  NO

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

YES  NO \*IF YES, FILL OUT SECTION 3B.

ORGANIZATION'S MISSION: To positively impact the communities quality of life through superior health service.

ADDRESS: Nanticoke Health Foundation  
613 High Street  
Seaford DE 19973  
(CITY) (STATE) (ZIP)

CONTACT PERSON: Renee' Morris  
TITLE: Executive Director  
PHONE: 302-536-5391 EMAIL: MorrisR@nanticoke.org

**TOTAL FUNDING REQUEST: \$250.00**

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

If YES, how much was received in the last 12 months? \$31,700.00

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

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

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

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

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

### BENEFICIARY CATEGORY

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

### BENEFICIARY NUMBER

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

250+

## SECTION 3: PROGRAM SCOPE

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

The Nanticoke Health Services Prescription Drug Fund was established over twenty years ago to assist patients who could not afford their prescription medications after their discharge from the hospital. We take this holiday greeting for granted but for many, remaining healthy after leaving the hospital is impossible if they cannot afford their medication. And connecting patients with the health care services they need is our mission. 250 patients, needing about \$60,000, will be unable to pay for their prescriptions when they are discharged from the hospital. The Sussex County Council's generous gift to the Holiday Appeal will continue to make a wish a reality for many. Being here for one another is what it means to be part of the Nanticoke family.

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

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

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

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



**SECTION 4: BUDGET**

<b>REVENUE</b>	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
<b>TOTAL REVENUES</b>	26,280.00
<b>EXPENDITURES</b>	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. <b>(Put amounts in as a negative)</b>	
Assisting patients with their medically necessary prscriptions.	\$ 26,280.00
<b>TOTAL EXPENDITURES</b>	\$-26,280.00
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	

**SECTION 5: STATEMENT OF ASSURANCES**

If this grant application is awarded funding, the Nanticoke Health Foundation 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.**

Rene S. Hosen  
Applicant/Authorized Official

11.30.17  
Date

Cheryl Horrocks  
Witness

11/30/2017  
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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



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

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

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

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

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

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

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

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

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

Rene S. Moran  
Applicant/Authorized Official

Cheryl Horwood  
Witness

Executive Director  
Title

11/30/2017  
Date

Vincent  
11/30/17





# SUSSEX COUNTY GOVERNMENT

## GRANT APPLICATION

### SECTION 1 APPLICANT INFORMATION

ORGANIZATION NAME: The Rehoboth Beach Historical Society  
PROJECT NAME: Capital Campaign - Second floor  
FEDERAL TAX ID: 51 0203755 NON-PROFIT:  YES  NO

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

ORGANIZATION'S MISSION: The Rehoboth Beach Historical Society is a non-profit organization dedicated to encouraging and promoting public knowledge of and participation in the preservation of the history, culture, architecture and special character of Rehoboth Beach.

ADDRESS: 511 Rehoboth Avenue  
Rehoboth Beach DE 19971  
(CITY) (STATE) (ZIP)

CONTACT PERSON: Nancy Alexander  
TITLE: Director  
PHONE: 302-227-7310 EMAIL: director@rehobothbeachmuseum.org

**TOTAL FUNDING REQUEST:** \$5,000

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

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

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

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

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

## SECTION 2: PROGRAM DESCRIPTION

### PROGRAM CATEGORY (choose all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Fair Housing                | <input type="checkbox"/> Health and Human Services | <input checked="" 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 type="checkbox"/> Low to Moderate Income <sup>2</sup>   | <input type="checkbox"/> Youth    |
| <input type="checkbox"/> Minority                   | <input checked="" type="checkbox"/> Other <small>Museum is free of charge-all visitors are welcome</small> |                                   |

### BENEFICIARY NUMBER

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

4,000

## SECTION 3: PROGRAM SCOPE

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

The Rehoboth Beach Historical Society will complete construction of the second floor of its building, including storage, exhibit and library spaces. The first floor is complete. The purpose of the project has four benefits: The construction will increase our exhibit, attract more visitors and increase our admissions income. The construction will increase our storage space, allowing us to store permanent collections items on-site as we grow our collection, saving us the cost of renting off-site space. The construction will allow us to accommodate more people for our lectures and other programs, donations and the potential number of program participants who may become society members. Finally, the construction will allow us to increase the size of groups for rentals and increase our rental income.

The Society has approximately four-fifths of of the money needed to complete the project. We expect to raise the remaining funds by December 2017 and begin construction shortly thereafter. We have a contract with an architect, and we have received approval from the City of Rehoboth Beach. The architect will manage the formal bid process, however, we have a preliminary estimate of \$650,000 from the architect. This amount includes exhibit design.

More than 5,000 people visit the museum annually or take part in one of our off-site tours or programs, including the historic Anna Hazzard House, which we manage for the city. Visitors range from young children to seniors. We have annual visits from senior and CHEER centers, low-income and disabilities groups, and students from Rehoboth Elementary School. Lectures and other programs draw from local and visitor populations. Admission is by donation. No one is turned away for lack of ability to pay.



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

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

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

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

### SECTION 4: BUDGET

<b>REVENUE</b>	
Please enter the current support your organization receives for this project (not entire organization revenue if not applicable to request)	
<b>TOTAL REVENUES</b>	600,000.00
<b>EXPENDITURES</b>	
Please enter the total projected budget for the project (not entire organization expense if not applicable to request). Example of expenditure items: PERSONNEL-one lump sum that would include benefits, OPERATING COSTS-supplies, equipment, rent/lease, insurance, printing telephone, CONSTRUCTION/ACQUISITION-acquisition, development, rehab hard cost, physical inspections, architectural engineering, permits and fees, insurance, appraisal. <b>(Put amounts in as a negative)</b>	
Walls, Doors, Framework, Ceilings, Glass fire doors	-\$ 109,875.00
Painting and Cabinetry	-\$ 54,410.00
Elevator	-\$ 90,000.00
HVAC	-\$ 100,000.00
Plumbing, Sprinkler system	-\$ 30,087.00
Electrical, Fire Alarm, Voice and Data	-\$ 73,785.00
Contractor, architect, permits, design fees	-\$ 141,758.00
Exhibit design and installation, exhibit furniture	-\$ 52,000.00
<b>TOTAL EXPENDITURES</b>	<b>-\$ 651,915.00</b>
<b>TOTAL DEFICIT FOR PROJECT OR ORGANIZATION</b>	<b>-\$ 51,915.00</b>


### SECTION 5: STATEMENT OF ASSURANCES

If this grant application is awarded funding, the Rehoboth Beach Historical Society 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

11/27/17  
Date

  
\_\_\_\_\_  
Witness

11/27/17  
Date

Completed application can be submitted by:

Email: gjennings@sussexcountyde.gov

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



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

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

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

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

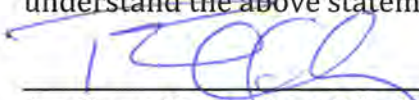
For non-religious organizations, all accounting records and supporting documentation shall be available for inspection by Sussex County within thirty (30) days after the organization's expenditure of the awarded funding, or within one year after the receipt of the awarded funds, whichever first occurs.

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

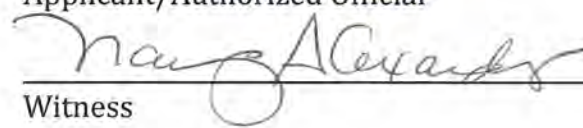
Certain programs are not eligible for funding pursuant to United States Constitution and State of Delaware Constitution. Those constitutional principles prohibit the use of funding to advance or inhibit religious activities. By signing below, the organization acknowledges that the funding shall be used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

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

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

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

11/27/17  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Witness

11/27/17  
\_\_\_\_\_  
Date

*Cole*  
*11-27-17*



**To Be Introduced 12/12/17**

**Council District No. 4 – Cole  
Tax I.D. No. 134-8.00-5.00 (portion of)  
911 Address: 30190 Whites Neck Road, Dagsboro**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RV/PARK MODEL/TRAILER REPAIR AND REFURBISHMENT BUSINESS WITH OUTDOOR STORAGE AND SALES TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 1.0 ACRE, MORE OR LESS, OF A 32.16-ACRE PARCEL OF LAND**

**WHEREAS, on the 15th day of August 2017, a conditional use application, denominated Conditional Use No. 2111, was filed on behalf of Michael Moutzalias; 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. 2111 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. 2111 as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the south side of Whites Neck Road, approximately 754 feet east of Holts Landing Road, and being more particularly described per the attached legal description prepared by Delaware Surveying Services, said parcel containing 1.0 acre, more or less, of a 32.16-acre parcel of land.**

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

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



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

# Sussex County Planning & Zoning Commission

## PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date November 16, 2017

Application: CZ 1834 Colonial East L.P. KS

Applicant/Owner: Colonial East L.P.  
14 Manor House Ln.  
Lewes, DE 19958

Site Location: North side of Lewes-Georgetown Hwy. approximately 741 ft. east of  
Minos Conaway Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Zoning: B-1 (Neighborhood Business District)

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

Councilmatic  
District: Mr. Burton

School District: Cape Henlopen School District

Fire District: Lewes Fire District

Sewer: Sussex County

Water: Tidewater Utilities

Site Area: 6.98 ac. +/-

Tax Map ID.: 334-5.00-165.00 and 166.00 (portions of)



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



**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: December 7, 2017

RE: County Council Report for CZ 1834 Colonial East L.P.

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The Planning and Zoning Department received an application (CZ 1834 Colonial East L.P.) to allow for a change of zone from AR-1 to B-1. The Planning and Zoning Commission held a public hearing on November 16, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, an exhibit booklet, a site plan and two letters of support.

The Commission found that, David Hutt, Attorney with Morris James Halbrook and Bayard LLP, Ken Christenbury, with Axiom Engineering, Steve Class, owner of Colonial East L.P. and D J Hughes, with Davis Bowen and Friedel were present on behalf of the application; that Mr. Hutt stated that the site is located in front of Sussex East and West manufactured home community; that the property currently has three conditional uses for 350 manufactured homes; that it is a 55 plus community and is more than 95% occupied by 55 plus residences; that 80% of the residences are year round; that they would like to change the zone from AR-1 to B-1; that they hope to provide uses for the development and for the area to come; that several buildings will have a neighborhood business feel; that the hope is to alleviate traffic going to Route 1; that Mr. Christenbury stated that the area in the front of this project is intended to be rezoned to neighborhood business; that the existing amenities will remain AR-1; that the ESDA land use allows for a mix of uses that the site is not that far from commercial zoning; that the property is in Level 2 State Strategies; that the area has grown since 1992; that Minos Conaway Rd. has almost built out; that there are no plans for regional uses but could provide neighborhood uses in the area; that this a potential concept plan if approved; that Mr. Hughes stated that a TIS is required and they are working on with DelDOT to finalize the TIS; that off-site improvements at the intersection of Route 9 and Minos Conway Road are included in the TIS review; that this is to help provide some services to the area and developments; that a signal at Minos Conaway has been in the plan for a while and they intend to enter into a signal agreement with two other developments; that they are going to create a dedicated left turn lane, lengthen the right turn lane and include bike lanes; that they do have to dedicate ten feet of right-of-way and provide a 15 foot easement for a bike trail; that Mr. Class idea was developed by the residents; that the communities are 55 and older; that they sent a form out with a survey to the residents; that there are no effect on their rents; that the community wanted a place for coffee and



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GEORGETOWN, DELAWARE

donuts, a general store, village for people to bike or walk to the store; that they want to cut down on vehicle traffic; that it could include a professional medical office or pharmacy; that they are going to have interconnectivity with the bike trail; that Mr. Hutt stated B-1 is for relatively small area and area uses; that the Comprehensive Plan encourages growth in this area; and that the property would not accommodate one large building, but it would accommodate multiple smaller buildings.

The Planning Commission found that Patricia Williams was in favor to the application; that she thinks this is wonderful and great.

The Planning Commission found that no one spoke in opposition to the application.

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

Ms. Stevenson, moved that the Commission recommend approval of Change of Zone #1834 for Colonial East, LP for a change in zone from AR-1 to B-1 based on the record made during the public hearing and for the following reasons:

1. The site is located along Route 9 at the front of a large manufactured home development and it is surrounded by other existing and new residential developments. This makes it an appropriate location for B-1 zoning and it will provide neighborhood business uses in a location that is convenient to many homes. It will also eliminate the current need to travel to Route 1 for all of these needs.
2. According to the County's Comprehensive Land Use Plan, the site is identified as being within the Environmentally Sensitive Developing Area. B-1 Zoning is appropriate within this Area according to the plan.
3. According to the Zoning Code, B-1 Zoning is appropriate "to provide retail shopping and personal service uses,...to serve the needs of a relatively small area, primarily nearby rural, low density or medium density residential neighborhoods." This application satisfies this purpose of B-1 Zoning.
4. The B-1 District is the most limited commercial zoning district in the County. It is appropriate in this location since it will limit the type and size of the uses that may occur at the site.
5. The rezoning is consistent with the developing character of the area and will not adversely affect the neighboring properties and roadways.
6. The proposed rezoning meets the purpose of the Zoning Ordinance since it promotes the orderly growth, convenience, order, prosperity and welfare of Sussex County and its residents.
7. The site is served by central water and Sussex County will provide wastewater service to the site.
8. Any future development of the site will require site plan approval by the Sussex County Planning & Zoning Commission as well as entrance and roadway improvements from the Department of Transportation.
9. No parties appeared in opposition to the proposed rezoning.

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

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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: November 8, 2017  
RE: Staff Analysis for CZ 1834 Colonial East L.P.

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1834 Colonial East L.P. to be reviewed during the November 16, 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 a portion of parcels 334-5.00-165.00 and 166.00 change the zoning from AR-1 (Agricultural Residential District) to B-1 (Neighborhood Business District). The size of the property is 6.98 ac. +/- . The properties are 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 Environmentally Sensitive Developing Areas and Mixed Residential Areas.

The surrounding land use to the north, and east is Environmentally Sensitive Developing Areas and Mixed Residential Areas. The surrounding land use to the south and west is Environmentally Sensitive Developing Areas. The surrounding land use to the east is Environmentally Sensitive Developing Areas and Highway Commercial. The Environmentally Sensitive Developing Areas land use designations recognizes that a range of housing types should be permitted including single-family homes, townhouses and multi-family units. Retail and office uses are appropriate; however, larger retail and office uses should be located along arterial roads. Institutional uses can be appropriate to provide for convenient services and allow people to work from home. B-1 (Neighborhood Business District) is a zoning district that can be considered in the Environmentally Sensitive Developing Areas land use classification.

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

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



Introduced 08/29/17

Council District No. 3 – Burton

Tax I.D. No. 334-5.00-165.00 (portion of) and 334-5.00-166.00 (portion of)  
911 Address: 30769 Lewes-Georgetown Highway, Lewes

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN LEWES AND REHOBOTH HUNDRED, SUSSEX COUNTY, CONTAINING 6.98 ACRES, MORE OR LESS

WHEREAS, on the 15th day of June 2017, a zoning application, denominated Change of Zone No. 1834, was filed on behalf of Colonial East, L.P.; 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. 1834 be \_\_\_\_\_; and

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

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Lewes and Rehoboth Hundred, Sussex County, Delaware, and lying on the north side of Lewes – Georgetown Highway (Route 9) approximately 741 feet east of Minos Conaway Road and being more particularly described in the attached legal descriptions, as prepared by Axiom Engineering.

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



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



2 THE CIRCLE | PO BOX 417  
GEORGETOWN, DE 19947  
(302) 855-7878 T  
(302) 854-5079 F  
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# Sussex County Planning & Zoning Commission

PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET  
Planning Commission Public Hearing Date November 16, 2017

Application: CZ 1838 Two Farms, Inc. RW

Applicant: Two Farms, Inc.  
3611 Roland Ave.  
Baltimore, MD 21211

Owner: Harold Dodd and Richard Dodd  
20588 Fisher St.  
Rehoboth Beach, DE 19971

Site Location: Southeast corner of Lewes-Georgetown Hwy. and Gravel Hill Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Zoning: B-1 (Neighborhood Business District)

Comprehensive Land  
Use Plan Reference: Low Density Areas

Councilmatic  
District: Mr. Burton

School District: Indian River School District

Fire District: Georgetown Fire District

Sewer: Artesian

Water: Artesian

Site Area: 2.85 ac. +/-

Tax Map ID.: 135-11.00-78.00



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GEORGETOWN, DELAWARE 19947

JANELLE M. CORNWELL, AICP  
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janelle.cornwell@sussexcountype.gov



**Sussex County**  
DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: November 8, 2017  
RE: Staff Analysis for CZ 1838 Two Farms, LLC

---

This memo is to provide background and analysis for the Planning Commission to consider as a part of application CZ 1838 Two Farms, LLC to be reviewed during the November 16, 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 a portion of parcel 135-11.00-78.00 change the zoning from AR-1 (Agricultural Residential District) to B-1 (Neighborhood Business District). The size of the property is 2.85 ac. +/- . The properties are 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 of Low Density Areas.

The surrounding land use to the north, south and east are Low Density Areas. The land use to the west are Low Density Areas and Highway Commercial Areas. The Low Density land use designation recognizes that business development should be largely confined to businesses that address the needs of single family residences and agriculture. It should also permit industrial uses that support or depend on agricultural uses. The focus of retail and office should provide convenience goods and services to nearby residents and should be limited in their location, size and hours of operation. The B-1 zoning district is a zoning classification that can be considered within the Low Density Areas.

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

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



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



**Sussex County**

DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: December 7, 2017

RE: County Council Report for CZ 1838 Two Farms, Inc.

---

The Planning and Zoning Department received an application (CZ 1838 Two Farms, Inc.) to allow for a change of zone from AR-1 to B-1. The Planning and Zoning Commission held a public hearing on November 16, 2017. The following are the minutes and motion for the Change of Zone from the Planning and Zoning Commission meeting.

Ms. Cornwell advised the Commission that submitted into the record were a staff analysis, an exhibit booklet, a survey, comments from Sussex County Utility Planning Division, results from DelDOT regarding the Service Level Evaluation.

The Commission found that William Scott, Attorney with Scott and Shuman, Mike Riemann Engineer from Becker Morgan Group, Randy Bendler, representing Two Farms, and Mr. Harold and Mr. Dodd, owners of the property were present on behalf of the application; that Mr. Scott stated the application is to rezone the property from AR-1 to B-1; that the property is located southeast corner of Route 9 and Gravel Hill Road; that it currently has two single family homes that are vacant at this time; that Mr. Riemann stated the intent is for a 15,500 square foot of retail space; that this is not intended to be a Royal Farms; that the intent is to develop this property as a retail center; that the intersection has recently been upgraded by DelDOT and this site has provided right-of-way dedication; that the TIS has been completed for this site; that the site would have a right-in and a right-out on Route 9; that full access will be on Route 30; that Artesian will serve sewer; that they will screen the parcel to east and south with a fence and landscaping; that there is quite a bit of commercial zoning in the area; that B-1 is consistent with zoning and other commercial uses in the area; that Mr. Scott stated that the Low Density land use allows for B-1; that it will provide convenience for the neighborhood; that the property is in State Strategies 3 and 4; and that they would be ok with interconnectivity in the future to the south of the property.

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

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



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Ms. Stevenson, moved that the Commission recommend approval of Change of Zone #1838 for Two Farms, LLC for a change in zone from AR-1 to B-1 based on the record made during the public hearing and for the following reasons:

1. This site is located at the intersection of Route 9 and Gravel Hill Road. There are other commercially zoned properties at this intersection. This an appropriate location for B-1 Zoning.
2. The Commission previously recommended approval of a change in zone to CR-1 for this property. This recommendation for B-1 Zoning is consistent with that prior motion.
3. According to the Zoning Code, B-1 Zoning is appropriate “to provide retail shopping and personal service uses,...to serve the needs of a relatively small area, primarily nearby rural, low density, or medium density residential neighborhoods.” This application satisfies this purpose of B-1 Zone.
4. The B-1 District is the most limited commercial zoning district in Sussex County. It is appropriate in this location since it will limit the size and type of uses that can occur on the site.
5. The rezoning is consistent with other zoning and uses at the Route 9 and Gravel Hill Road intersection and it will not adversely affect neighboring properties or roadways.
6. The rezoning meets the purpose of the Zoning Ordinance because it promotes the orderly growth, convenience, order, prosperity and welfare of Sussex County and its residents.
7. Any future development of the site will require site plan approval be the Sussex County Planning and Zoning Commission.
8. No parties appeared in opposition to the proposed rezoning.

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





**Addresses / Parcels**

- TaxParcels

**Council Districts**

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

**Schools/Libraries**

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

**Hydrology**

- Streams / Rivers
- Lakes, Ponds, Bays

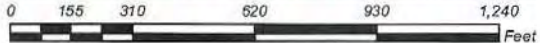
**Flood Zones**

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

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

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

**Sussex County Map**

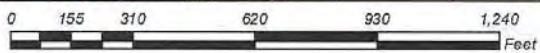




- Addresses / Parcels**
- TaxParcels
- Council Districts**
- Fire Districts
- County District 01
- County District 02
- County District 03
- County District 04
- County District 05
- County Boundaries
- Schools/Libraries**
- School Buildings (Various)
- School Library
- Public Library
- Special Library
- DOE School Districts
- DOE VoTech School Districts
- Hydrology**
- Streams / Rivers
- Lakes, Ponds, Bays
- Flood Zones**
- 0.2% Annual Chance Flood Hazard
- A
- AE
- AO
- Open Water
- VE
- Public Protected Lands
- Municipalities
- Communities
- Boundaries State County

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

**Sussex County Map**





Introduced 08/08/17

Council District No. 3 - Burton  
Tax I.D. No. 135-11.00-78.00  
911 Address: 24616 Lewes-Georgetown Highway, Georgetown

ORDINANCE NO. \_\_\_\_

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A B-1 NEIGHBORHOOD BUSINESS DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN GEORGETOWN HUNDRED, SUSSEX COUNTY, CONTAINING 2.85 ACRES, MORE OR LESS

WHEREAS, on the 28th day of June 2017, a zoning application, denominated Change of Zone No. 1838, was filed on behalf of Two Farms, Inc.; 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. 1838 be \_\_\_\_\_; and

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

NOW, THEREFORE, THE COUNTY OF SUSSEX HEREBY ORDAINS:

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

Section 2. The subject property is described as follows:

ALL that certain tract, piece or parcel of land lying and being situate in Georgetown Hundred, Sussex County, Delaware, and lying at the southeast corner of Lewes-Georgetown Highway (Route 9) and Gravel Hill Road, and being more particularly described per the attached deed, said parcel containing 2.85 acres, more or less.

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

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



2 THE CIRCLE | PO BOX 417  
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# Sussex County Planning & Zoning Commission

## PLANNING AND ZONING AND COUNTY COUNCIL INFORMATION SHEET Planning Commission Public Hearing Date November 16, 2017

Application: CU 2107 Galbraith Development Group DH

Applicant: Galbraith Development Group  
P.O. Box 520  
Boiling Springs, PA 17007

Owner: Michael J. Coolidge  
34495 Wilgus Cemetery Rd.  
Frankford, DE 19945

Site Location: Northeast side of Muddy Neck Rd. approximately 1,020 ft. north of  
Beaver Dam Rd.

Current Zoning: AR-1 (Agricultural Residential District)

Proposed Use: Mini-storage

Comprehensive Land  
Use Plan Reference: Environmentally Sensitive Developing Areas

Councilmatic  
District: Mr. Cole

School District: Indian River School District

Fire District: Millville Fire District

Sewer: Sussex County

Water: Tidewater Utilities

Site Area: 3.21 ac. +/-

Tax Map ID.: 134-17.00-8.09



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janelle.cornwell@sussexcountype.gov



**Sussex County**

DELAWARE  
sussexcountype.gov

## Memorandum

To: Sussex County Council Members

From: Janelle Cornwell, AICP, Planning & Zoning Director

CC: Everett Moore, County Attorney

Date: December 8, 2017

RE: County Council Report for CU 2107 Galbraith Development Group

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The Planning and Zoning Department received an application (CU 2107 Galbraith Development Group) to allow for mini-storage to be located on Muddy Neck Rd. The Planning and Zoning Commission held a public hearing on November 16, 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, an exhibit booklet, a site plan, comments from the Sussex County Utility Planning Division, the results from the DelDOT Service Level Evaluation that stated a TIS is not required, a letter from a Realtor and 13 letters in opposition.

The Commission found that David Hutt, Attorney of Morris James Wilson Halbrook and Bayard, LLP, Ken Christenbury, with Axiom Engineering, and Mark Galbraith, with Galbraith Development Group were present on behalf of the application; that Mr. Hutt stated the property is located along Muddy Neck Road; that the property is zoned AR-1; that they are proposing a 46,000 square foot mini-storage facility; that the applicant owns a home and proposes to live in the area; that the maximum height of the buildings will be 15 feet; that the entrance to the facility will not be barbed wire or a chain link fence; that the facility will not have 24 hour access; that there will be no towering lights; that Mr. Christenbury stated that the Comprehensive Plan identifies this property as a Developing Area; that it is adjacent to the Town of Ocean View; that there is MR and B-1 zoning in the area; that the property is State Strategies Level 3 and is surrounded by Level 2; that there are houses in the area but the only house within a 100 feet of the property; that the site consists of 3.2 acres; that the entrance will be located at the far end of the site for sight distance; that the office hours will be from 7:00 am to 9:00 pm; that the lighting will be motion sensor and downward screened; that they propose one 32 square foot non-illuminated sign; that an ornamental fence will be along the road; that the buildings will be earth tone color; that the site will be significantly landscaped around the perimeter; that there will be a bike path along the front of the property; that DelDOT did not require a TIS; that a Medium Density Residential development would generate more traffic through this area; that Mr. Galbraith stated that he has owned a residence nearby for 13 years and plans to move here within the next four years; that he wants to build something nice to live nearby; that he sees a need in the area for storage; that Mr. Hutt stated the hours will be 6:00 am to 9:00 pm and not 24 hour access; that one pole light will be at the entrance to the site similar to



a street light and a landscape plan will be included to alleviate lighting concerns; that lighting will be downward screened; that there will be no chain link fence along the front of the property; that a potential chain link fence would be along the sides and rear but it will be screened from view; that a letter from a Realtor stating other mini-storage facilities have not impacted property values; that the Melson funeral home and the Inlands Bay garden center are in the area; that the applicant is trying to blend in with the other commercial uses in the area; that Mr. Christenbury stated that some of the backs of the buildings would act as buffers with fence between buildings; that there will be a buffered landscaping along the side and rear property lines; that Mr. Galbraith stated there would be an employee there every day from 6:00 am to 9:00 pm; that the property will be paved; and that they could remove some interior buildings to allow for more outdoor storage for boats etc.

The Planning Commission found that no one spoke in favor of the application.

The Planning Commission found Ron Golden, Thomas Maly, William Anderson, Stephen Shoffner, Damien Golden, Mike Atkins, Bill Clemons, Natalie Reatig, and Russell Ruble spoke in opposition to the application; that Mr. Golden stated that he has a petition signed by other neighbors and other exhibits stating this does not comply with conditional use requirements; that this is not consistent with the area; that this property is two miles from the beach; that a conditional use as warehousing is not in keeping with the AR-1 zoning and not compatible with residential uses; that he has concerns with traffic; that the use is out of character for the area and road classification; that he has concerns with safety; that he has concerns with the lighting and chain link fence; that a similar application was recommended to be denied from the Planning and Zoning Commission and was denied by County Council in 2014; that Mr. Maly stated he is representing Hunters Run and nine members are present; that warehousing is not appropriate for the area and not compatible; that he has concerns with crime and safety; that he has with concerns with impact on property values; that Mr. Anderson stated that this does not fit the area; that one of five things worst thing to go there is mini storage; Mr. Shoffner stated he has concerns with stormwater management and run off; that Mr. Golden stated that he agree with the others; that Mr. Atkins stated he agree with the others; that Mr. Clemons stated that it is his brother in law selling the property; that he agrees with the others; that Ms. Reatig stated she is in agreement with the others; that she has concerns with traffic; that Mr. Ruble stated he agree with the others; that if only 15 feet between the buildings that it will read as one massive 15 foot tall building and the fencing is a matter aesthetic; and that the lighting even if it is downward, will reflect up off the buildings.

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

Motion by Mr. Hudson, seconded by Ms. Stevenson, and carried unanimously to defer action for further consideration. Motion carried 4-0.

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**Sussex County**  
DELAWARE  
sussexcountyde.gov

## Memorandum

To: Sussex County Planning Commission Members  
From: Janelle Cornwell, AICP, Planning & Zoning Director  
CC: Vince Robertson, Assistant County Attorney and applicant  
Date: November 8, 2017  
RE: Staff Analysis for CU 2107 Galbraith Development Group

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This memo is to provide background and analysis for the Planning Commission to consider as a part of application CU 2107 Galbraith Development Group to be reviewed during the November 16, 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 134-17.00-8.09 to allow for the use of mini-storage. The size of the property is 3.21 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 Environmentally Sensitive Developing Areas.

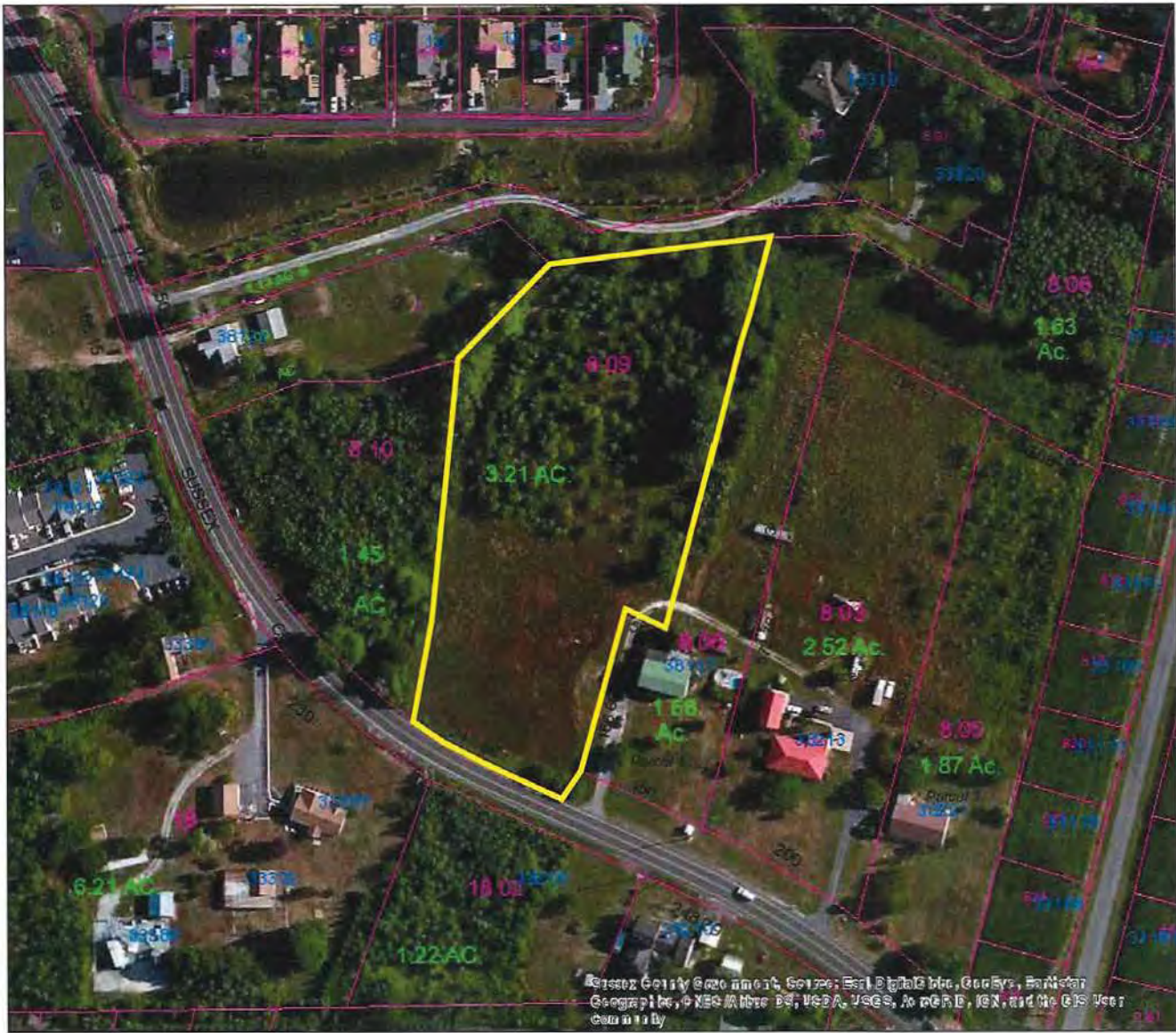
The surrounding land use to the north, south, east and west is Environmentally Sensitive Developing Areas. There is also Highway Commercial land use further to the west and south. The Environmentally Sensitive Developing Areas land use designations recognizes that a range of housing types should be permitted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

The property is zoned AR-1 (Agricultural Residential District). The properties to the north and east are zoned AR-1 (Agricultural Residential District) along with parcels located in the Town of Ocean View. The properties to the west and south are zoned AR-1 (Agricultural Residential District) and MR (Medium Density Residential District). There are no known Conditional Uses in the area.

Based on the analysis of the land use, surrounding zoning and uses, the Conditional Use request to allow for mini-storage could be considered consistent with the land use, surrounding zoning and uses.







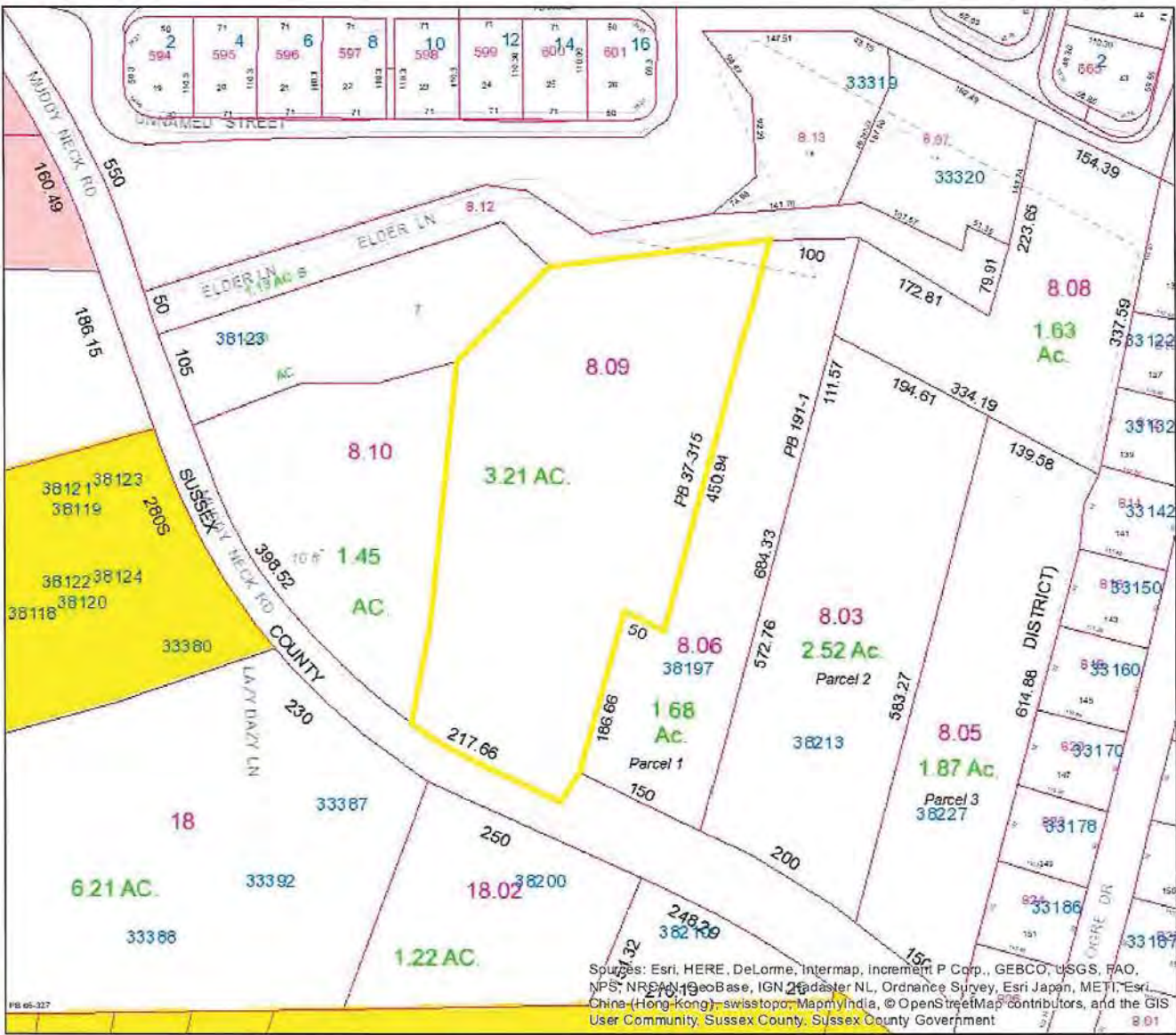
- Addresses / Parcels**
- TaxParcels
- Council Districts**
- Fire Districts
  - County District 01
  - County District 02
  - County District 03
  - County District 04
  - County District 05
  - County Boundaries
- Schools/Libraries**
- School Buildings (Various)
  - School Library
  - Public Library
  - Special Library
  - DOE School Districts
  - DOE VoTech School Districts
- Hydrology**
- Streams / Rivers
  - Lakes, Ponds, Bays
- Flood Zones**
- 0.2% Annual Chance Flood Hazard
  - A
  - AE
  - AO
  - Open Water
  - VE
  - Public Protected Lands
- Municipalities**
- Municipalities
  - Communities
  - Boundaries State County

Source: County Geographic Information System; Data: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User community

**Sussex County Map**



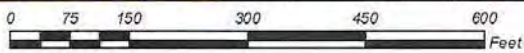




- Addresses / Parcels**
- Tax Parcels
- Council Districts**
- Fire Districts
- County District 01
- County District 02
- County District 03
- County District 04
- County District 05
- County Boundaries
- Schools/Libraries**
- School Buildings (Various)
- School Library
- Public Library
- Special Library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

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

### Sussex County Map



**Introduced 07/18/17**

**Council District No. 4 – Cole  
Tax I.D. No. 134-17.00-8.09  
911 Address: Not Available**

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

**AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR MINI-STORAGE TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN BALTIMORE HUNDRED, SUSSEX COUNTY, CONTAINING 3.21 ACRES, MORE OR LESS**

**WHEREAS, on the 21st day of June 2017, a conditional use application, denominated Conditional Use No. 2107, was filed on behalf of Galbraith Development Group; 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. 2107 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. 2107 as it applies to the property hereinafter described.**

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

**ALL that certain tract, piece or parcel of land lying and being situate in Baltimore Hundred, Sussex County, Delaware, and lying on the northeast side of Muddy Neck Road, approximately 980 feet northeast of Beaver Dam Road, and being more particularly described per the attached deed prepared by David W. Baker, Esq., said parcel containing 3.21 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.**