



## **Eyes on County Council – March 10, 2026**

### **HIGHLIGHT EVENTS:**

- **Several new ordinances based on the recommendations of the 2025 Land Use Reform Working Group were introduced.** See below for short descriptions; the full text of the ordinances can be found in the pdf attached to the EoCC digest email.
- **New ordinance to be introduced at next week’s meeting:** an ordinance requested by Jane Gruenebaum, for a limited moratorium on certain development applications; specifically, cluster subdivisions in rural areas which would use central sewer systems. The purpose of the moratorium is to pause new applications for this type of development while the county finalizes the ordinance changes. **This is likely to be hotly contested. Please attend the March 17 Council meeting to show your support for the ordinance.**
- You can watch the introduction of the proposed at 1:02:54 in the chambers broadcast: [County Council Meeting - March 10, 2026 \(12:30PM Start Time\)](#)

### **Public Comment:**

The first comment was from **Beth DeFrances**, member of the Board of Trustees for the Frankford Public Library, a lifelong library supporter and retired educator. She noted that:

- Libraries are vital to strong communities.
- In Sussex County, 11 of 14 libraries are independent and not fully government funded. This includes the Frankford Library, which serves one of the most economically challenged areas and is a key gathering place for youth and adults.
- Local elementary schools do not have librarians or libraries, making the Frankford Library the primary resource for many students.
- Each year the Library must raise tens of thousands of dollars just to keep its doors open, while operating costs continue to rise.

She requested support for a modest tax adjustment, which would stabilize funding and allow the Library to maintain services, expand programs, and ensure a strong future for this community library.

**Jeff Seemans** spoke about school impact fees, noting that the issues had been raised six years ago but that little or no progress has been made. He noted that:

- The Delaware state legislature has passed enabling legislation twice allowing counties to implement school impact fees, but that he has not seen Sussex County Council acting on it.
- Sussex County school districts have missed out on millions of dollars for school construction compared with other counties and are struggling to pass referenda to fund school construction and improvements.

He urged the council to develop and implement legislation to establish school impact fees.

**Mr. McCarron** responded that he and **Mr. Lawson** have been working on this; that the fees are set during the budget process, and that he has full confidence Council will address school impact fees during the budget process in 2026.

### **Presentations:**

**Mr. Terry Murphy, President of Bayhealth**, spoke about plans for expansion in Sussex County:

- Bayhealth, Delaware's second-largest health system with about 4,000 employees, is expanding healthcare access in Sussex County while also investing heavily in medical education and physician training.
- He described the Route 9 Hybrid Emergency Department and said that it operates as a hybrid emergency department and outpatient clinic.
- He described the Sussex Camus extension on Route 1 in Milford, with planned and recent developments:
  - Acute rehabilitation hospital (40 beds) in partnership with Post Acute Medical.
  - New childcare center for employees.
  - A four-story medical office building to house newly recruited physicians.
  - Floors planned for cardiology, women's health, and other specialties.
  - Additional plans include expanding ICU and dialysis capacity
- He said that Bayhealth is a teaching hospital with various academic partnerships; that they train 100+ resident physicians; and that there are thousands of applicants competing for residency spots each year.

**Vince Robertson, Assistant County Attorney**, spoke on two related topics: 1) a discussion related to the effects of updating Sussex County Code and land use applications, and 2) discussion and possible introduction of proposed ordinances stemming from the work of the Land Use Reform Working Group.

1. Regarding the effects of updating Sussex County Code and land use applications:

- The proposed ordinances would take effect immediately upon adoption. However, to ensure developers who have already started the process under the current rules are not affected by the new regulations, they will not apply to projects already in progress – specifically, those that have submitted a PLUS application to the state and received a PLUS comment letter from the Delaware Office of State Planning Coordination.
  - Officials are drafting a limited moratorium on certain development applications, which will target cluster subdivisions using central sewer systems—typically 7,500 sq. ft. lots in rural areas. The purpose of the moratorium is to pause new applications for those specific developments while the county finalizes the ordinance changes. It's intended to prevent a “land rush” where developers submit applications quickly to avoid the new rules.
2. Discussion and possible introduction of proposed ordinances - several ordinances were proposed. **Mr. Robertson** gave a 2-sentence description of each, and asked that a Councilperson introduce each ordinance.
- A) **Sussex County Rental Program**: the number of SCRP units in an SCRP project is decreased from 25% of the units to 15% of the units. To make the projects more “buildable”, setback requirements have been decreased, and allowable building height has been increased under certain conditions. **Mr. Rieley** introduced this ordinance.
- B) **Open Space Requirements** has two parts: 1) to pull the former Superior Design Requirements for a Cluster Subdivision regarding open space into the Open Space Requirements for All Subdivisions, and 2) to clarify the code to show clearly that, for subdivisions, the minimum percentage of open space in the growth area is 30 percent, while the minimum percentage of open space in the rural area is 50 percent. **Ms. Gruenebaum** introduced this ordinance.
- C) **Preliminary Plat Requirements (§99-9C)** also has two parts: 1) to incorporate the Superior Design requirements from clusters into 99.9c, so that they apply to all subdivisions, not just cluster subdivisions, and 2) requires that interconnectivity with adjacent tracts be implemented where possible (providing for more than one entrance to a subdivision). **Mr. McCarron** introduced this ordinance.
- D) **Cluster Subdivisions in Growth Areas and Standard Subdivisions in Rural Areas** eliminates 7,500 square foot lot cluster subdivisions and Residential Planned Communities on central sewer in the rural areas within

the Future Land Use Map of the Comprehensive Plan, and directs cluster subdivisions to the growth areas of the Future Land Use Map.

**Mr. Rieley** introduced this ordinance.

**Note that these descriptions are rudimentary and don't capture the full impact of these new ordinances.** You can read the full text of the ordinances in the pdf attached to the EoCC digest email.

**Mr. Robertson** also explained the process for passing the ordinances:

- First, the ordinance is introduced. It will be advertised, and then go to Planning and Zoning for a public hearing, with opportunity for public comment. P&Z will then make a recommendation.
- Next, the ordinance comes before County Council, which will hold another public hearing, with a second opportunity for public testimony.
- Both P&Z and County Council have the ability to make amendments to the ordinances before passing them.

The weekly sewage report:

- **Hans Medlarz, Project Manager**

- Requested approval of a \$463,500 change order to complete electrical connections for key treatment structures as part of the Inland Bays Phase 2C wastewater facility expansion. Mr. Medlarz noted that additional electrical change orders are expected as the project continues catching up on the electrical side. Also, some general construction items are still outstanding; one of the next major tasks will be the Tertiary Conversion, where a new filter will be installed in the existing chlorine contact chamber, marking one of the final major milestones for general construction. Council unanimously approved the request.
- Requested approval for two contract increases to the Wolfe Neck Regional Wastewater Facility Denali sludge removal agreement:
  - \$333,250 for the additional sludge removal from Lagoon One at the Wolf Neck Regional Wastewater Facility.
  - \$967,158 for additional sludge removal and liner replacement from Lagoon A at the South Coastal Regional Wastewater Facility.

Background:

- Significant biosolids removal had been completed in Lagoon 1, but the work paused due to freezing weather.
- When work resumed, significant seepage was found through the berm of Lagoon 1, triggering urgent action to pump down the lagoon.

- Pumping stopped the seepage and exposed remaining sludge, but inspection showed more sludge remained than originally estimated.
- Rather than repair the expensive liner leak, the strategy is to:
  - Fully empty Lagoon 1
  - Remove the liner
  - Lime-stabilize the area
  - Fill it with dredged canal material

This supports construction of the new facility in Lagoon 1

- An additional issue at South Coastal is that three biosolids lagoons contain large amounts of sand mixed with sludge, due to earlier grit removal problems. This material must be treated as biosolids and disposed of in a landfill.

### **Introduction of Proposed Zoning Conditional Use Ordinances:**

Four new proposals were introduced:

1. **Conditional Use #2594** – to grant a Conditional Use in an AR-1 Agricultural Residential district for an auto repair and vehicle storage business on ~3 acres on the north side of Long Neck Road
2. **Conditional Use #2602** – to grant a Conditional Use in an MR Medium Residential district for a public charity to provide a respite care facility on 3.64 acres on the east side of Charleys Run in Bethany Beach
3. **Conditional Use #2636** – to grant a Conditional Use in an AR-1 Agricultural Residential district for a trailer maintenance business and storage on 5 acres on Doddtown Road, ~2 miles south of Route 9 in Harbeson
4. **Conditional Use #2550** – to grant a Conditional Use in an AR-1 Agricultural Residential district for a solar array on 30.55 acres of land in on the southwest side of Harbeson Road near Diamond Farm Road

### **Public Hearings**

- **Change of Zone #2054** – request to grant a zone change from an AR-1 Agricultural Residential district to a C-2 Medium Commercial district for a .57-acre parcel on Savannah Road I Lewes, just east of Wescoats Road. Unanimously approved.
- **Conditional Use #2625** – request to grant a Conditional Use in an AR-1 Agricultural Residential district to change the hours of operation for an outdoor racetrack near Seaford (35 acres). Unanimously approved.

**Council Meeting Schedule: Tuesdays – check agenda for timing and location**

- March 17 – 10:00am [031726.pdf](#)
- April 14

**Council Meeting Broadcast**

[County Council Meeting - March 10, 2026 \(12:30PM Start Time\)](#)

**Related Articles:**

[County council begins to act on land-use group recs](#)

[Residents hear updates on Sussex County 2028 ...](#)

[Sussex County introduces ordinances to begin codifying ...](#)

[Sussex County Council introduces six rules to limit housing ...](#)

[County council begins to act on land-use group recs](#)

***Note: Eyes on County Council makes every effort to render events at public meetings accurately. It either explicitly quotes speakers, or paraphrases their statements as accurately as possible. If any representation in these notes is inaccurate, please contact us.***