



Eyes on County Council – September 16, 2025

HIGHLIGHTS:

- **Councilwoman Jane Gruenebaum proposes a targeted pause in development:**
She stated that she appreciates the work done by the Land Use Reform Working Group, and noted that all work group members supported the package of recommendations. The recommendations are complicated, and will require changes to the comprehensive plan. She said that Council will be formally reviewing the recommendations in the near future. She asked that while this is proceeding, Council consider options to protect the work group's product and Council's consideration of it from becoming moot while implementing the recommendations. She asked that Mr. Lawson work with County Attorney Moore to develop options that would allow a targeted and time-limited pause in development while Council begins to review the recommendations and enact the necessary changes in County code.

Her comments start at 1:43:29 in the Council broadcast.

- **Councilman Steve McCarron** stated that Council is now in a position to make changes in county code to attach a school funding fee to new residential building permits; and that the public can expect to see action from Council on this in the near future.
- **Belle Mead:** the County Council postponed a decision on an ordinance to amend the comprehensive zoning map of Sussex County from an AR-1 to a C-4 on the Belle Mead development in order to obtain information on questions that were brought to their attention during the public hearing. The Council will ask for information from DeIDOT and DNREC regarding the development of the parcel. Once they receive the information, they will share the responses with supporters and those in opposition to the planned development. Another public meeting will be held on the development.

Presentations:

- **Shante Hastings, DeIDOT Secretary of Transportation**
Project and TID Updates

Secretary Hastings gave an update on the transportation projects and Transportation Improvement Districts (TIDs) in Sussex County. She shared that her budget is \$1.1 billion dollars this year; 57% of that amount is for capital projects; also that revenue has increased but so have costs for projects. She said that Sussex County has the fewest

roadways for federal eligibility in the state, at only 35%, and that “back roads” are not eligible for federal funding. That means that the state has to fund 100% on those improvements.

She gave information on transportation projects in Sussex County and highlighted some of the major ones. DelDot projects include the bridge on Route 1 over Route 16, the north bypass in Millsboro, the widening of Route 113 in Millsboro and also around Georgetown, and the intersection at Hudson Road at Route 16. She also noted that there are other projects at different levels of completion from land acquisition to design work. These included the Old Orchard Road in Lewes, US 9 widening, and the Kings Highway projects. Much of the delay for road construction is caused by utility relocation and land acquisition.

Secretary Hastings then discussed **TIDs**. She said that TIDs provide transportation improvements needed to support land use developments in locations identified as appropriate for development in local comprehensive plans. She felt that TIDs can lower infrastructure costs and foster planning for development and redevelopment opportunities. She mentioned that Sussex County has three **TIDs, Rehoboth, Milton, and Roxana**.

She said that TIDs receive contributions from developers for transportation improvement costs and this makes it more equitable because all developers share some responsibility for the transportation improvements. It also benefits developers because it provides cost certainty. She pointed out that the TID fees that the developer pays aren't due until building permits are issued, which can be years after the development is approved. She said that even with that funding delay, DelDot will start some improvements only using DelDot funding. One example of a TID, the Rehoboth TID, has \$330 million projected transportation improvements and the developers will pay \$70 million (usually 20-30%) of that amount.

She stated one of the problems that has happened in Sussex County is that DelDot has had to come back later to address transportation issues with new capital transportation improvements when housing developments are built in areas that the Future Land Use Map (FLUM) identified as non-residential. This has happened in the Rehoboth TID.

- Various sewer project proposals were amended, presented by,
 - **John Ashman**, Director of Utility Planning
 - **Mark Parker**, Assistant County Engineer
 - **Hans Medlarz**, Project Manager

Grant Requests Approved:

- Mispillion Performance Series for their 2025-26 Season – Honorarium for Musical Artists - **\$500**
- Francois Foundation for Autism for their Sensory Art and Craft program - **\$2000**

- Bridgeville Apple Scrapple Festival Inc. for their 33rd Annual Apple Scrapple festival - **\$3000**
- Trinity Foundation for their 2025 Golf Tournament - **\$1500**

Introduction of Proposed Zoning/Conditional Use Ordinances:

- Conditional Use #2506 - – to grant a Conditional Use in an C-1 Commercial district for a miniature golf course between Old Landing Road and Walmart
- Conditional Use #2610 – to grant a Conditional Use in a GR General Residential district for indoor storage of vehicles (limosine business), just west of Route 1 at the intersection of Slaughter Neck and Daniels Roads

Council Member Comments

Jane Guenebaum stated that she appreciates the work done by the Land Use Reform Working Group, and noted that all work group members supported the package of recommendations. The recommendations are complicated, and will require changes to the comprehensive plan. She said that Council will be formally reviewing the recommendations in the near future. She asked that while this is proceeding, Council consider options to protect the work group's product and Council's consideration of it from becoming moot while implementing the recommendations. She asked that Mr. Lawson work with County Attorney Moore to develop options that would allow a targeted and time-limited pause in development while Council begins to review the recommendations and enact the necessary changes in County code.

Steve McCarron stated that the state legislature had passed the bill for Sussex County capital construction for schools, and that it has been signed by the governor. He said that Council can now make the changes in county code to attach a school funding fee to new residential building permits; and that the public can expect to see action from Council on this in the near future.

Public Hearings

- **Conditional Use #2568** – grant a Conditional Use in an AR-1 Agricultural Residential district for an electronic message center sign in front of the Unitarian Universalist Church on Route 9, just east of Sweetbriar Road – **deferred**
- **Change of Zone #2001 (Belle Meade Farm)** – request to change zoning from AR-1 Agricultural Residential to a C-4 Planned Commercial district for 39.22 acres on Route 24, just south of Mulberry Knoll Road, across from Saddle Ridge subdivision

Speaking in favor:

Several speakers, including **Susan Davis** (Housing Alliance Delaware), **Lynn Betts** (Family Advocate) and **Sonya Starr**, (Delaware Affordable Housing Coalition) spoke in favor of the application, citing the affordable housing component of the development.

Speaking in opposition:

Ten people spoke in opposition to the application. Several people told stories of near-miss accidents on Route 24 and of the difficulty in getting to and from their communities on Route 24. Below are summaries of some of the arguments.

Judy-Rose Seibert, speaking for the Route 24 Alliance, said that she supports planned commercial districts and we need affordable housing, but Belle Meade is not appropriate for rezoning to C-4. Reasons that she gave as to why the zoning change should be approved were:

1. C-4 requires that there be interconnectivity with adjacent parcels.
2. The Comprehensive Plan says that land area shall be served by existing or planned infrastructure. Belle Meade would add 6800 trips per day or a 37% increase to local roadways. If the road will be over capacity, it is P&Z and/or the County Council who must ascertain that and use it to inform their decision. She shared that it would take over 9 minutes to turn right to get out to Route 24 from Hart Landing Development, and then forced to do a U-turn if you want to travel east toward Route 1.
3. The Cape Henlopen School District opposes the planned development (Love Creek Elementary and Beacon Middle School are nearby).
4. The purpose of C-4 zoning, as per the Comprehensive Plan is to protect the existing and future developments. The proposed development doesn't do that.
5. The Comprehensive Plan says calls for new development land use in a manner that adds to the character of the community instead of intruding into it. The proposed development doesn't align with that.
6. The project would eliminate 50% of the mature forested land on the parcel, leading to environmental problems such as runoff.
7. The closest EMS and fire department is in Rehoboth/Lewes #3.
8. DelDOT improvements to widen Route 24 between the proposed development and Love Creek Bridge are not scheduled, so congestion on Route 24 will continue for years.

Michael Rollins, Associate Director of Climate System Research Center, University of Massachusetts, spoke about the increase in precipitation over the last 30 years, the increase in major precipitation events. He spoke about impervious surfaces and the excess overland runoff that they cause, said that scientists don't yet fully understand the impacts of greater precipitation on runoff and stormwater management, and that the Belle Mead commercial development would increase impervious surfaces to the detriment of the local environment.

Doreen Rushton spoke about evaluating what really is affordable housing in Sussex County. She showed data to support her statement that what is billed as affordable housing in Sussex County is actually priced well above what most workers, including essential workers, can afford.

Bill Mailander spoke about piecemeal re-zoning (re-zoning outside of the comprehensive plan). Legal opinions state that a zoning designation should reflect systematic forethought and considered attention to the public welfare; piecemeal re-

zoning should not be granted solely for the benefit of the landowners and should take into account incompatibility with neighboring uses.

Connectivity to another commercial property is a minimum district requirement of the C-4 zoning designation; and there is no connectivity. The ability for the parcel to support connectivity has not been established, and any possible connectivity point would go to a residential area. The only access is from Rt 24, an arterial roadway.

Adequate infrastructure is also a minimum district requirement of the C-4 zoning designation.

Several speakers addressed the traffic on Route 24, and the daily traffic backup at the Love Creek Bridge. They told stories about near-accidents on Route 24, and spoke about how dangerous the merge from four lanes down to two lanes already is, with cars speeding up on the road shoulder to get ahead in the merge line.

County Council postponed the decision on the Belle Mead project.

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

- Next meetings September 23

Council Meeting Broadcast

County Council Meeting - September 16, 2025

Related Articles:

Controversial Lewes-area apartment development up for deciding vote:

<https://spotlightdelaware.org/2025/09/14/controversial-lewes-area-apartment-development-up-for-deciding-vote/>

County considers expansion of Shell We Bounce:

<https://www.capegazette.com/article/county-considers-expansion-shell-we-bounce/296179>