



Eyes on County Council – January 13, 2026

HIGHLIGHTS:

- County Council members compromised on a rules change proposed in the Jan 6 meeting. The January 6 proposal had been to allow an applicant to rebut statements made by opposition speakers at the end of public testimony, with no response allowed to the applicant's rebuttal. The compromise that was reached gives Council the authority to ask anyone – whether it be the applicant, or a member of the public who had spoken during the hearing - to come forward with clarifications, to answer questions or provide data.
- The Atlantic Fields shopping center application was denied in a unanimous vote. Councilwoman Gruenebaum gave a strong and persuasive set of reasons for the denial. Her statements start at 1:08:48 in the chambers broadcast:

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- There were several eloquent speakers during the public comment period.

Vote on Proposal for Change in the County Council Rules of Procedure:

County administrator **Todd Lawson** and County attorney **Everette Moore** spoke about the rules change that had been proposed the week prior, concerning the announcement that the County attorney reads before any zoning hearing. The change would have removed the instruction that after the public speakers had concluded, there would be no rebuttal by the applicant. With the “no rebuttal” provision removed, Council members would then be permitted to ask the applicant to rebut any statements by the public speakers, without allowing the public speakers to respond to that rebuttal.

The vote on the rules change was postponed one week to allow for discussion, and a compromise was reached. The instruction “There will be no rebuttal by the applicant” is removed from the instructions. Council then has the authority to ask anyone (the applicant or any public speakers) to come forward with clarification, statements or answer questions. If there are none, then the hearing will be closed.

County Council unanimously approved this rules change.

Public Comment (starts at 34:08 in the chambers broadcast):

- **Wendy Taylor** spoke, saying she is concerned about the process by which development projects come before county council. She noted that the land use process is a quality of life issue.

She pointed out that recent development applications that have come before Council have made it clear that Sussex County residents are engaged in the issues that impact the county – a fact that should be welcomed and encouraged by Council.

She pointed out the discrepancy between the resources available to developers and those available to the public: developers have full-time employees whose paid job is to make the best case for what they want, while the public can provide written comments or come to a hearing where they wait for hours while the developers make their case with unlimited time while joking with county staff and officials they know well. Developers, she said, with their team of full-time employees make their case with support from staff, while the public tells what they actually live and feel like they are dismissed.

She asked who is representing the people, in the decisions over land use? She stated that everyone wants progress, but progress, just like quality of life issues, is subjective, and everyone deserves to be represented equally.

- **Kate Fallon** spoke about growth outpacing planning in Sussex County. She noted that new development, unsupported by adequate infrastructure, is not progress but harm, and that preventing harm is one of government's most basic responsibilities. She said that county leaders have a duty to avoid choices that introduce foreseeable and preventable risks to the people they serve. Good governance, she noted, asks whether approving a development will make life easier or worse for the people already here? Saying no to harmful development is not anti-growth - it is pro-responsibility.
- **Gary Vorsheim** tried to speak about a requirement in Sussex County's zoning code that applies to major commercial rezoning; which requires adequate existing or planned infrastructure before certain types of commercial zoning changes can be approved. He was stopped by the County Attorney, who said that the statements were too close to the application to be voted on later in the meeting. Mr. Vorsheim was allowed to make a final point: that if infrastructure is not funded and scheduled today, then County code threshold requirements requiring adequate infrastructure are not met. The public deserves zoning decisions based on documented record, not on assurances that are not supported by DelDOT plans

- **David Stein** spoke about a connection between transportation and workforce housing. He said that DelDOT improvements to Route 24 near the Love Creek Bridge aren't funded or scheduled, and don't have a construction timeline. He noted that development projects along Route 24 are expected to create thousands of jobs, but that the people who will work the jobs can't afford to live nearby, so daily commuter traffic on Route 24 will mean gridlock, and will affect quality of life for residents who rely on Route 24 every day.
- **Linda Vorsheim**, a member of the Belle Terre HOA, asked for clarity on county processes. She noted that her HOA had submitted a letter to the land use application docket, identifying a short list of items that would help address her community's concerns about a particular development regarding egress, emergency services and potential stormwater ramifications to our HOA if it were approved. The HOA had not received a response nor an indication whether a correspondence was reviewed, considered or shared with council members. She said that the lack of visibility has left the HOA uncertain about how HOAs should effectively raise practical community level concerns during the development review process. She asked: what is the appropriate and effective way for a homeowners association to ensure that its input is received and considered as a part of land use and zoning decisions?
- **Greg Lindner** spoke about community growth and change in state Representative District 4. He said that he was optimistic, when the new County Council was elected, that it would take steps to slow the current rapid and unsustainable growth. He noted that in 2017, the area known as RD-4 had 11,000 registered voters; by December 2025, that number had surged to over 25,000, a more than 100% increase in 8 years. He described the tangible effects of that growth on daily life. He spoke about unsustainable growth in the eastern part of Sussex County, invited Mr. Lloyd and Mr. McCarron (whose districts are farther west) to take a drive with him through RD-4 to see what has taken place, and urged them to support efforts to control growth in eastern Sussex.
- **Jen Polosky** called in and spoke. She commended the Council on their decision to join Fenwick Island in its lawsuit to challenge SB159. She said that she wanted to set the record straight regarding opponents of offshore wind projects being supported and funded by big oil interests. She said that British Petroleum, Shell, Equinor, and Orsted have all been involved in offshore wind projects, and that Apollo Global Management, the primary funder of the US Wind Project owns OEG Energy Group, who has also been involved in oil and gas for decades. She spoke about Nomex, PFAS, and Blackrock, and was eventually asked to stop speaking, having exceeded the 3-minute limit.

This Week's Sewage Issues:

Nearly every County Council meeting agenda contains items related to Sussex County's sewage:

- **Hans Medlarz, Project Engineer**

Mr. Medlarz asked Council to approve a direct equipment purchase order for Intermediate pumping equipment for the South Coastal Wastewater Regional Facility treatment process upgrade Inland Bays Extension. He noted that the South Coastal Project has been implemented by a series of change rules because of the lengthy time period it takes to obtain the various DNREC permits.

Council unanimously approved \$466,700 for intermediate and recirculation pumping equipment associated with the Inland Bays expansion project

Old Business: The vote on the Atlantic Fields shopping center application.

- **Change of Zone #2307** – to grant a zone change from an AR-1 Agricultural Residential district to a C-4 Planned Commercial district for 73 acres at the intersection of Route 24 and Mulberry Knoll Road.

The Council chambers was standing-room-only as members of the public gathered to hear County Council vote on this application.

Councilwoman Gruenebaum spoke about the application's request for a zone change. After thanking the hundreds of residents who took the time to appear before Council or to write to them about the application, some points that she made were:

- Citizen input and participation is important and provides council with a full range of concerns; and this zoning request involves several very popular potential occupants/retailers in a new zoning category, C-4, a category that allows the county to add conditions to a change of zone.
- When the council established the new C-4 zoning district in 2018, they wanted the predictability of a unified commercial development along with the flexibility of a planned commercial district. So, Council must review any C-4 application knowing the potential size and scope of the development to ensure the outcome provides for the application of design ingenuity while achieving the goals of the comprehensive plan.
- An important component and reason for the C-4 classification was to create commercial, retail, and mixed-use developments that combine shopping, working, and living environments. This application is not a mixed-use development - it has no provision for housing and so misses a key requirement. This is a flaw to the application.
- The development is located in the heart of Eastern Sussex County, an area that would greatly benefit from diverse affordable housing stock. The housing component is important because it allows people to reside near where they shop, cutting the

necessary trips on the road and allows others to live where they work, again, reducing trips on the roads. Traffic will always be a consideration for an application of this size.

- The proposed development is within the Henlopen Transportation Improvement District (TID); a report by McCormick Taylor states that the proposed plan is inconsistent with the land use and transportation plan that was developed for the TID. The report highlighted over 20 intersections that exhibit Level of Service deficiencies if no physical roadway and or traffic improvements are made. The sheer magnitude of the project overwhelms the projections of the TID. Roadway improvements, inside and outside the TID, are not expected to complete before 2045, but the shopping center is projected to open in 2028.

Her summary: "The calamity cannot be overstated. The list of transportation deficiencies that exist today or that will be felt if this development gets approved are too great. The magnitude of this development exceeds what DelDOT and the Henlopen TID can construct in an adequate timeframe that corresponds with the build-out of the intensive commercial uses on this site, resulting in a burden on the overall local transportation network that is too severe for me to allow this application to move forward".

Ms. Gruenebaum voted NO, as did Mr. McCarron, Mr. Lloyd, Mr. Rieley, and Mr. Hudson.

Introduction of new Zoning/Conditional Use requests:

- **Conditional Use #2625** – to grant a Conditional Use in an AR-1 Agricultural Residential district to change the hours of operation for an outdoor racetrack near Seaford
- **Conditional Use #2054** – to grant a zone change from an AR-1 Agricultural Residential district to a C-2 Medium Commercial district for a parcel on Savannah Road I Lewes, just east of Westcoats Road

Council Member Comments

Mr. McCarron spoke about his frustration with state government for not investing more in Sussex County infrastructure. Some of his points were:

- The controversial vote just taken on Atlantic Fields requires both the county and the state to confront a reality that has been ignored: the county has experienced considerable growth, particularly in eastern Sussex. Growth has brought benefits, but growth without infrastructure is not success - it is failure.
- Sussex County is home to two of Delaware's largest economic engines, tourism and agriculture, industries that depend on reliable transportation networks. They cannot function efficiently, safely, or competitively when primary corridors suffer from a lack of investment. Today, County Council was forced to deny a multimillion dollar private

investment because the state has failed to deliver the infrastructure necessary to support development in a corridor it has identified as a growth area for decades. The vote was not a rejection of growth but rather a rejection of pretending this area can absorb more traffic without meaningful state investment.

- Sussex County has consistently produced for this state: in these same areas, the state has collected hundreds of millions of dollars in transfer tax revenue, yet the very roads generating that revenue remain mostly unchanged.
- Major arterial roads in Sussex have been studied and discussed for decades, but Sussex County residents are still sitting in traffic, still facing safety concerns, and still being told to wait. Meanwhile, the state continues to designate areas for growth on the state strategies map while refusing to fund the roads required to support that growth.
- It is time for Delaware to reconsider how it treats its workhorse county. Sussex County has been forced to deny a transformative project solely because the state has failed to invest. Sussex County cannot continue to serve as the ATM for the rest of the state while receiving inadequate infrastructure in return. That model is broken, and today's vote made that clear.

Public Hearings

- **Conditional Use #2586**– to grant a Conditional Use in an AR-1 Agricultural Residential district to allow for an expansion of an existing campground on the southwest side of Route 1 just north of Broadkill Road, east of Milton.
 - Preston Dyer, a member of Camp Holdings, LLC, spoke about the proposed expansion of Deep Branch Campground, which has existed for 43 years. He gave a description of the campground and the surrounding properties, stating that a senior care facility that had been approved next to the campground would affect the campground's ability to use amenities located on that property. The requested Conditional Use would add 3 acres to the campground property for the purpose of relocating the lost amenities.
 - Technical details were provided by Mark Davidson, a land planner with Pannoni Associates.
 - Neighbors James Grant and Tim Parker spoke in favor of the application, citing its history in the area.
 - The conditional use was approved, with a slight change to the condition requiring a privacy fence.

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

- Next meeting is January 27.

Related Articles:

[Sussex County reaches compromise on public hearing rule change](#)

[Atlantic Fields rezoning unanimously denied by county council](#)

[McCarron: State road deficiencies contribute to defeat of Atlantic Fields](#)

[Sussex Council denies Costco-anchored Atlantic Fields Project](#)

[Sussex County Council denies rezoning Atlantic Fields](#)

[BREAKING: Sussex County denies zoning change](#)

[Sussex County finalizes wastewater pact with Lewes BPW](#)

Council Meeting Broadcast

[County Council Meeting - January 13, 2026 \(1:00PM Start Time\)](#)

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.