

KENT COUNTY LEVY COURT MEETING NOTICE AND AGENDA
Kent County Administrative Complex
555 Bay Road, Dover, DE 19901
Tuesday, June 26, 2018
Levy Court Chamber (203)

7:00 P.M., BUSINESS MEETING

Call to Order

Invocation

Pledge of Allegiance

Moment of Silence for our Troops

Roll Call and Determination of Quorum

Adoption of Agenda

Approval of Business Meeting Minutes of Tuesday, June 12, 2018

Consent Agenda 18-11

Item(s) on the Consent Agenda are considered routine and/or non-controversial and will be acted upon by a single roll call vote of the Levy Court. There will be no separate discussion of this/these item(s) unless a Commissioner so requests, in which event the item(s) shall be removed from the Consent Agenda and considered separately under New Business.

- **Item from the June 19, 2018 Committee Meetings:**
 - *New AS400*

PRESENTATIONS:

1. **Employee of the Month** for July 2018
2. **Mission: Lifeline EMS Gold Award** Presentation, American Heart Association

INTRODUCTION

PUBLIC HEARINGS:

PETITIONS FOR CONDITIONAL USE APPROVAL:

Mr. Howell:

1. **Application #:** C-18-02; **Applicant / Owner:** Terri Knauer; **Zoning District / Proposed Use:** AR (Agricultural Residential) / Home Occupation for Therapeutic Animal Partners (Non Profit); **Area & Location / ID#:** 5.6± acres at the intersection of Crystal Rd. (Co. Rd. 189) and Hartly Rd. (Co. Rd. 49), east of Hartly / WD-00-063.00-31.01-000

PUBLIC HEARINGS, continued

PETITIONS FOR CONDITIONAL USE APPROVAL, continued:

Mr. Sweeney:

1. **Application #:** C-18-03; **Applicant / Owner:** Whitney Durham / Eramack Properties, LLC; **Zoning District / Proposed Use:** RS1 (Single Family Residential) / Home Day Care; **Area & Location / ID#:** 0.17± acre on the northern side of Richard Bassett Road, approximately 235' west of Nathaniel Mitchell Drive and approximately 994' east of John Clark Road, further described as lot #31 of the Rodney Village subdivision, south of Dover / ED-00-085.12-01-26.00-000

PETITION FOR CONDITIONAL USE REQUIRING SITE PLAN APPROVAL:

Mr. Angel:

1. **Application # / Name:** CS-18-04 / Dunkin Donuts – Maxwell St.; **Applicant / Owner:** Franchise Management Services, Inc. / Newwind Properties 2920, LLC; **Zoning District / Proposed Use:** BG (General Business) / Drive thru Coffee Shop; **Area & Location / ID#:** 0.57± acres on north corner of North Dupont Hwy (US Rt. 13) and Maxwell St., north of Dover / ED-00-057.02-01-08.00-000

PETITIONS TO AMEND COMPREHENSIVE PLAN MAP AND ZONING MAP:

***Application has been withdrawn per request of applicant*

~~Mr. Buckson:~~

- ~~1. **Ordinance LC18-02**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVIII (changes and amendments) effective December 01, 2000, as amended.
(~~Ref: Application: CZ-18-02; Applicant & Owner: Murphy, Robert & Catherine; Proposed Zoning District: BG (General Business); Area & Location / ID#: 25.32± acres (Area of Petition: 4.82± acres) on south side of Milford Neck Rd. (Co. Rd. 120), adjacent to the intersection with Pritchett Road (Co. Rd. 422), southeast of Frederica / MD-00-152.00-01-22.00-000~~)~~

Mr. Sweeney:

1. **Ordinance LC18-06**, An Ordinance to amend the Comprehensive Plan Map Designation and the Official Zoning Map of Kent County, Delaware pursuant to the provisions of Kent County Code, Vol. II, Chapter 205 Zoning, Article III, Section 205-8 and Section 205-9, and Article XXVIII (changes and amendments) effective December 01, 2000, as amended.

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(Ref: Application #: CZ-18-03 Smith/Packett Med-Com, LLC; Applicant / Owner: Smith/Packett Med-Com, LLC / Woodbrook Development, LLC; Proposed Zoning District: RM (Multi-Family Residential); Area & Location / ID#: 3.0 ± acres located on the northern side of E. Lebanon Rd. (DE Rt. 10), across from the intersection with Sorghum Mill Road (Co. Rd. 26), approximately 1,600' south of the entrance to Planters Run subdivision (N. Planters Ln.) , west of Dover / NM-00-086.00-01-31.00-000)

CLOSE PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

Mr. Howell:

1. Introduction of **Resolution 3703**, A Resolution to extend the Kent County Stormwater Maintenance District pursuant to Chapter 52, Title 9 of the Delaware Code and Section 90.4E(10), Chapter 187 of the Kent County Code - Paradise Ridge *for Public Hearing on Tuesday, July 24, 2018 at 7:00 P.M.*
2. **Appointment** of Walter Carroll to the Parks and Recreation Commission

Mr. Angel:

1. **Resolution 3705**, A Resolution calling for a Public Hearing upon a Proposal to Dissolve select property from the Kent County Sewage Disposal District No. 1 (East Dover Area – New Harvest Baptist Church)
2. **Introduction of Resolution 3706**, A Resolution upon a Proposal to Dissolve select property from Kent County Sewage Disposal District No. 1 pursuant to Section 4624, Chapter 46, Title 9 of The Delaware Code, as amended, (East Dover Area – New Harvest Baptist Church) *for Public Hearing on Tuesday, July 10, 2018 at 7:00 P.M.*
3. **Introduction of Resolution 3699**, A Resolution Establishing Fieldstone Village Garbage Collection District #181 *for Public Hearing on Tuesday, July 10, 2018 at 7:00 P.M.*

OTHER BUSINESS

1. Move to go into Executive Session immediately following the Business Meeting for preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters pursuant to 29 Del.C. 10004(b)(2), (4), and (9)

INFORMATION ITEMS

PUBLIC COMMENTS

COMMISSIONERS' COMMENTS

ADJOURN

EXECUTIVE SESSION

Immediately following the Business Meeting
Caucus Room

For preliminary discussion on site acquisition for a publicly funded capital improvement; legal strategy session regarding collective bargaining or pending or potential litigation; and personnel matters

Pursuant to 29 Del.C. 10004(b)(2), (4), & (9)

Posted: 6/19/18

Revised: 6/26/18

Posted by: L. Tanaka

Time: 11:00AM

Take down: Upon Replacement or on 6/27/18

29 Del.C. §10004(e)(2). The Agenda items as listed may not be considered in sequence. This Agenda is subject to change to include additional items including Executive Sessions or the deletion of items including Executive Sessions, which arise at the time of the meeting.