



MAYOR & CITY COUNCIL REGULAR MEETING  
Tuesday, May 19, 2026, 5:30 PM  
Council Chambers, City Hall  
AGENDA  
**REVISED**

Page

- A. CALL TO ORDER & ROLL CALL:
- B. ANNOUNCEMENTS:
- C. UPDATE ON COUNCIL INITIATIVES
- D. REAFFIRMATION OF THE FOLLOWING APPOINTMENTS:
  - D.1. Deputy Mayor
  - Secretary
  - Assistant Secretary
  - Treasurer
  - Ex-officio to BPW
  - Ex-officio to BPW Finance Committee
  - Ex-officio Planning Commission
  - Ex-officio Historic Preservation Architectural Review Commission
  - Ex-officio Parks & Recreation Commission
  - Ex-officio Bicycle & Pedestrian Advisory Committee
  - Ex-officio African American Heritage Commission
  - Ex-officio Public Art Committee
  - Ex officio Mitigation Planning Team
  - Ex-officio Finance Committee
  - Ex-officio Economic Environmental and Resiliency Commission
  - Intergovernmental Liaison
  - FOIA Coordinator
- E. PROCLAMATIONS/RECOGNITIONS
  - National Police Week*
  - Armed Services Day*
  - E.1. [National Police Week Proclamation - May 2026](#) 4 - 5
  - [Armed Services Day Proclamation - May 16, 2026](#)
- F. CONSENT AGENDA:
  - F.1. **Mayor & City Council Minutes** 6 - 32
    - [2026 04 06 MCC Public Hearing & Special Meeting](#)
    - [2026 04 13 MCC Regular Meeting Minutes](#)
    - [2026 03 25 MCC Work Session Minutes](#)
    - [2026 04 22 MCC Work Session Minutes](#)
  - F.2. **Lease Extensions** 33 - 46
    - 1519 Bay Avenue
    - [Corrected and Amended Agreement of Lease - 1519 Bay Avenue](#)
    - [Lease Extension Draft - 1519 Bay Avenue](#)
    - [Property Photos and Survey - 1519 Bay Avenue](#)
  - F.3. **Appointments (All Appointments are to be read into the record)**

Consideration to appoint Janet Maull to the Lewes African American Heritage Commission for a term of 3-year term, beginning May 1, 2026, and ending May 1, 2029.

Consideration to appoint Kathleen Berault, Frank Young and Leemay Nassery to the Economic, Environmental and Resiliency Committee, each for a term of 3-years beginning June 1, 2026, and ending June 1, 2029.

Consideration to reappoint Rich Innes and Kevin Keane to the Lewes Planning Commission, each for a term of 3 years, beginning May 1, 2026, and ending May 1, 2029.

Consideration to reappoint Marylinda Maddi and Bill Wolff to the Lewes Planning Commission, each for a term of 2 years, beginning May 1, 2026, and ending May 1, 2028.

G. LIAISON REPORTS

*City Management Report*

1. [City Management Report - May 19, 2026](#) 47 - 73  
[Department Reports - May 19 2026](#)

H. OLD BUSINESS:

- H.1. Discussion and possible action regarding proposed streetscape designs for the W. Fourth Street & Park Avenue Street Improvement Project. (Staff) **(20 Minutes)** [2026-05-15 4th Street Renderings](#) 74 - 81  
[GMB Presentation - W. Fourth Street & Park Avenue](#)

- H.2. Discussion and possible action regarding a proposed ordinance to amend Chapter 197, "Zoning," Section 197-46.1, of the Municipal Code of the City of Lewes "Accessory Dwelling Units (ADUs)". ([Current Ordinance](#))(Staff) **(15 Minutes)** 82 - 101

[DRAFT ADU ORDINANCE 4.13.2026 REDLINED VERSION](#)

[DRAFT ADU ORDINANCE 4.13.2026](#)

[Draft Ordinance - ADUs 03.25.26](#)

[Draft Ordinance ADUs 02.02.26](#)

[Public Comments Summary- Ordinance 2-26 \(ADU\)](#)

[Supporting Docs - Gail VanGilder Public Comment](#)

- H.3. Discussion and possible action on a proposed ordinance regarding the Lewes Resiliency Fund. (Staff) **(10 Minutes)** 102 - 105  
[Lewes-Resiliency-Fund---Signed-Resolution-Mission-Goals-and-Guard-Rails-Approved 05 12 2025](#)  
[Draft Ordinance - Resiliency Fund 05.19.26 MCC Meeting](#)

I. NEW BUSINESS:

- I.1. Discussion and possible action on the application for minor subdivision relating to 100/102 Cedar Lane, Tax Parcel: 335-4.20-163.00, Zoning R-3. (LPC) **(5 Minutes)** 106 - 126  
[BOA Decision Cedar Street 3 17 26 final](#)  
[100-102 Cedar Variance and Minor Subdivision Application](#)  
[LPC signed Resolution Recommending Approval of Minor Subdivision 100-102 Cedar \(1\)](#)

- I.2. Discussion and possible action to approve the resolution authorizing the City 127 - 129

Manager to apply for Brownfields Grant Funding. (Marasco/Saliba) **(5 Minutes)**

[Draft Resolution - Authorizing the City Manager to Apply for Browfields Grant Funding 5.19.26](#)

- I.3. Update and discussion regarding scope, timeline and structure of current working groups and ad hoc committees, including possible action to formalize the Ordinance Review Ad Hoc Committee and their Mission Statement. (Staff) **(15 Minutes)**

[Ordinance Review Ad Hoc Committee Mission Statement DRAFT 5.14.26](#)

J. PUBLIC COMMENTS:

K. ADJOURNMENT:

<https://us02web.zoom.us/j/88493113482?pwd=yZxwB6y9FAmBcrBgYbJyqAv7p5fvgt.1>

Join via audio:

+1 301 715 8592 US (Washington DC)

Webinar ID: 884 9311 3482

Passcode: 416954

*Pursuant to 29 Del. C. § 10004(e)(3) this Agenda is subject to change; including addition or deletion of items or Executive Sessions. Agenda items may not be considered in sequence and therefore, should not be relied upon by any member of the public. To request special accommodations for persons with disabilities please contact the City Hall office at (302) 645-7777, at least 72 hours in advance of a meeting.*

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**City Hall is located at 114 E. Third Street Lewes DE**

Agenda Posted: 05 12 2026 Posted By: ASA

Revised 05/15/2026 ASA

Adjusted terms dates under F.3.

LFC Appointments - Previous dates listed did not accurately reflect the prior terms for which LFC committee members would be reappointed.

LAAHC - Adjusted to reflect that the new appointment would begin on the date the vacancy occurred, May 1, 2026.

EERC - Terms adjusted to June 1st for consistency in the appointment process.

The City of Lewes



PROCLAMATION  
IN HONOR OF NATIONAL POLICE WEEK  
MAY 2026

**WHEREAS**, the City of Lewes recognizes the dedicated men and women of the Lewes Police Department and law enforcement agencies throughout the nation who faithfully serve and protect our communities with courage, professionalism, and integrity; and

**WHEREAS**, National Police Week provides an opportunity for communities across the United States to honor the service and sacrifice of law enforcement officers and to remember those who have made the ultimate sacrifice in the line of duty; and

**WHEREAS**, the City of Lewes is deeply grateful for the commitment, compassion, and professionalism demonstrated daily by the officers, dispatchers, civilian staff, and public safety personnel who work tirelessly to ensure the safety and well-being of all members of our community; and

**WHEREAS**, during this week, we also extend our appreciation to the families of law enforcement officers whose support and sacrifice are essential to the important work performed in service to the public;

**WHEREAS**, the Lewes Police Department remains committed to serving every individual with fairness, dignity, and respect, and to fostering trust and understanding among people of all backgrounds, cultures, and beliefs; and

**NOW, THEREFORE, I**, Amy Marasco, Mayor of the City of Lewes, on behalf of the City Council, do hereby proclaim May 11<sup>th</sup> -17th, 2026, as "NATIONAL POLICE WEEK" in the City of Lewes, and encourage all residents to join in recognizing and expressing gratitude to the members of the Lewes Police Department and all law enforcement personnel for their dedicated service to our community and nation.

The Honorable Mayor Amy L. Marasco



The City of Lewes



## PROCLAMATION IN RECOGNITION OF ARMED SERVICES DAY MAY 16, 2026

**WHEREAS**, Armed Services Day was established to honor the men and women who serve in the United States Armed Forces and to recognize their dedication, skill, and professionalism in a wide range of roles that support national operations, emergency response, humanitarian efforts, and public service both at home and abroad; and

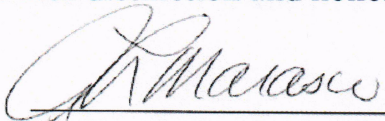
**WHEREAS**, we also use this day to acknowledge the families of service members whose support and sacrifice at home allow their loved ones to carry out their missions around the world; and

**WHEREAS**, the citizens of Lewes are deeply grateful for the sacrifices made by those who have answered the call to serve, many of whom have endured long separations from loved ones and faced great personal risks in order to honor their commitment to the United States.

**THE CITY OF LEWES PROUDLY RECOGNIZES THE FOLLOWING MEMBERS OF OUR OWN STAFF  
WHO HAVE SERVED OUR NATION WITH HONOR AND DISTINCTION:**

John Lafferty || Parks and Marina || Navy  
 Thomas Spell || Lewes Police Department || Army  
 Jonathan Moyer || Lewes Police Department || Air Force Reserve  
 Nicholas Yatsko || Lewes Police Department || Army  
 Tyler Menoche || Lewes Police Department || Army National Guard  
 Isaiah Brown || Lewes Police Department || Army National Guard  
 Dennis Crawford || Parking Enforcement || Army  
 Bill Ash || Parking Enforcement || Army  
 Robert Castellana || Parking Enforcement || Army  
 Ricardo Melendez || Maintenance Department || Marine Corps  
 Rodney Reynolds || Maintenance || Coast Guard  
 Jon Ward || Building Department || Air Force  
 Siobhan Burton || Lewes Police Department || Air Force

**THEREFORE**, I, Amy Marasco, Mayor of the City of Lewes, Delaware, on behalf of the Lewes Mayor and City Council, do hereby proclaim May 16, 2026, as ARMED SERVICES DAY in the City of Lewes and encourage all residents to honor the brave individuals who have served and continue to serve our nation with distinction and honor.

  
 The Honorable Mayor Amy L. Marasco



**City of Lewes**  
**MAYOR & CITY COUNCIL - Public Hearing**  
**Monday, April 6, 2026**  
**MINUTES**

The Lewes Mayor & City Council met on **Monday, April 6, 2026 in the Margaret H. Rollins Community Center**, in accordance with proper notification, with the following members present: Mayor Amy Marasco, Deputy Mayor Khalil Saliba and Councilmembers Tim Ritzert, Joe Elder and Trina Brown-Hicks. City Manager Ellen Lorraine McCabe, City Solicitor Alex Burns, Building Official Jon Ward, and City Engineer Andrew Lyons were also present.

**A. ANNOUNCEMENTS**

*There were no special announcements.*

**B. CALL TO ORDER & ROLL CALL: Time: 5:30 PM**

*Mayor Amy Marasco opened the Monday, April 6, 2026 public hearing and special meeting at 5:30 PM in the Bonnie Osler Meeting Room.*

**C. PUBLIC HEARING ITEMS: All public hearing items to follow the following order.**

- a. City Briefing (Staff, City Engineer, City Solicitor)*
- b. Presentation and comments from applicant*
- c. Public Comments*
- d. Council Comments and Questions*

**1. Ord. 4-26 - A proposed ordinance to amend Chapter 197, "Zoning," Section 197-45 of the Municipal Code of the City of Lewes, regarding use restrictions for Home-Based Businesses.**

Mayor Marasco explained the public hearing format, emphasizing that this was a listening session for City Council without deliberation. She noted that discussion and possible action would follow the public hearing, and that the ordinance had gone through many variations with the current revised version available to the public.

**City Briefing**

City Solicitor Alex Burns provided an overview of the latest draft dated February 26, 2026. Key provisions included:

- **Licensing Requirements:** New or renewed annual licenses would require fire marshal approval, with each applicant disclosing their level of impact and any changes to that level.
- **Two-Tier System:** The ordinance would create low impact and high impact home-based businesses, replacing the current single-tier system.
- **Low Impact Businesses:** Limited to residents of the principal dwelling or ADU as employees only. Maximum of one client, patient, or delivery per day. No outdoor storage areas. Cannot create vibrations, heat, glare, dust, odors, smoke, or noise discernible at the property line.
- **High Impact Businesses:** Limited to three non-resident employees, each requiring off-street parking. Hours restricted to 7 AM to 5 PM, Monday through Friday only (more restrictive than current 7 AM to 7 PM). Would allow outdoor storage areas but must comply with HBARC in historic district.
- **Prohibited Businesses:** List remained consistent from previous versions.
- **Application Process:** Building Official Jon Ward had drafted an application requiring disclosure of business activities for city review and impact determination.
- **ADU Restrictions:** ADUs cannot be used for commercial purposes, though residents can participate in home business in the primary dwelling.

## Public Comments

**Stephen Matthews** (405 Savannah Road) argued this was not about animal health and welfare, citing Lewes as a dog-friendly city. He contended the issue was either anti-small business or personal discrimination against their specific situation. Mr. Matthews emphasized his full-time residency, community involvement as volunteer firefighters and EMTs, and investment in their property.

**Thierry Poirey** (19 Harborview Road) raised several concerns: ADU office use clarification, delivery restrictions being impractical, licensing burden for remote work contractors versus employees, newly permitted medical offices, and theoretical prohibition of dentists due to hazardous materials restrictions.

**Kevin Keane** (515 Kings Highway) expressed support for the compromise while noting it fell short of the original Planning Commission proposal. He criticized the conditional use process as burdensome and the application as unnecessarily complex, but acknowledged the ordinance as better than previous council attempts.

**Bob Heffernan** (510 Railroad Avenue) supported the ordinance through low impact provisions but opposed high impact businesses, feeling they contradicted the stated goal of preserving residential neighborhood character.

**Sara Prieto** (405 Savannah Road) questioned changes to kenneling and grooming definitions already passed in November. She argued the restrictions would subject her to scrutiny and harassment, noting the commercially zoned nature of her property and the city's need for pet grooming services.

**Kerry Tripp** (400 Park Avenue) supported the restrictive approach, referencing Dr. Williams' letter advocating for the earlier Planning Commission proposal. She emphasized choosing Lewes for its quiet character and opposed home businesses with multiple employees operating extensive hours.

**John Hill** (403 Savannah Road) supported the ordinance as written, addressing previous personal attacks on his military service. As a retired Navy admiral, he emphasized fact-based decision making and argued that noise, vibrations, and odors cannot be mitigated in close quarters, particularly for animal-based businesses.

**Bill Adelman** (5 Flamingo Court) supported home businesses but opposed multiple employees at residences, suggesting employees work remotely rather than from the home base.

**Robert Huber** (407 Savannah Road, online) strongly objected as a direct neighbor of the proposed dog grooming business, citing concerns about animal-based commercial activities in residential neighborhoods and alleging violations of existing rules and intimidation of opposing neighbors.

**Patricia Lazik** (401 Savannah Road) expressed appreciation for the proposal and supported its passage, focusing on impact rather than specifically targeting animal-based businesses.

**Alan Roth** (437 Kings Highway) presented a hypothetical scenario questioning the distinction between working remotely for a law firm versus establishing an independent law practice, arguing the ordinance didn't adequately address post-COVID work realities.

### D. CLOSE PUBLIC HEARING *Time: 6:59 PM*

*Mayor Marasco closed the public hearing and announced a 10-minute recess before deliberations.*

### E. PRESENTATION AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

1. Discussion and **possible action** regarding Ord. 4-26 - A proposed ordinance to amend Chapter 197, "Zoning," Section 197-45 of the Municipal Code of the City of Lewes, regarding use restrictions for Home-Based Businesses.

**Time: 7:09 PM**

Mayor Marasco structured the discussion by first identifying topics for deliberation before addressing each issue.

**Topics Identified for Discussion**

Council identified the following areas for review:

- Delivery restrictions
- Parking requirements
- Mr. Roth's remote work comments
- Pet grooming definitions and impact-based approach
- Fire marshal review requirements
- Non-profit businesses
- Employee limitations for low impact businesses
- Application burden
- Zoning district variations
- Planning Commission role clarification
- Hours of operation
- Truck size restrictions

**Detailed Deliberations****Deliveries**

City Council agreed the one-delivery-per-day restriction for low impact businesses was unenforceable and impractical, as Building Official Jon Ward confirmed he couldn't distinguish between personal and business deliveries. The restriction was removed from low impact businesses.

**Vehicle Size Restrictions**

The 18-foot trailer and one-ton vehicle limits were replaced with "dual axle delivery vehicle" language based on engineering input about road impact and enforcement practicality.

**Hours of Operation**

City Council maintained the 7 AM to 5 PM restriction for high impact businesses, noting consistency with construction hours and the conditional use process allowing for more restrictive conditions if needed.

**Fire Marshal Review**

Extensive discussion occurred about requiring fire marshal approval for all home-based businesses. City Council considered exempting low impact businesses with no employees or clients, but maintained the requirement due to state law requirements for any commercial activity involving employees or clients visiting homes.

**Employee Limitations**

Significant debate emerged over prohibiting any non-resident employees for low impact businesses. Mayor Marasco argued this discriminated against single individuals versus couples, suggesting allowing one non-resident employee. Deputy Mayor Saliba and Councilmember Elder supported the restriction as part of the compromise. City Council ultimately maintained the restriction as written.

**Parking Requirements**

City Council clarified that off-street parking requirements for high impact businesses should include flexibility for properties with adequate driveway space, adding language "if you cannot accommodate on your driveway" to allow customization through the conditional use process.

**Pet Grooming Ban**

Extended discussion occurred about categorically prohibiting pet grooming versus allowing it through conditional use for detached single-family homes. Mayor Marasco argued the ordinance already addressed shared-wall concerns and should allow conditional use evaluation. Deputy Mayor Saliba and Councilmember Elder maintained the prohibition based on unpredictability of animals and neighborhood safety concerns. City Council maintained the categorical prohibition.

**Planning Commission Role**

City Council corrected language to specify Planning Commission provides "review and recommendation" rather than "approval" for conditional use applications.

**Application Process**

City Council directed City Solicitor Burns to draft revisions incorporating all discussed changes, with no individual council member input during drafting to maintain process integrity.

**Implementation Timeline**

City Council agreed to place the revised ordinance on the April 13 agenda, with City Solicitor Burns to complete revisions by Friday noon to allow weekend review by City Council and the public.

**F. PUBLIC COMMENT: Time: 8:04 PM**

*Thierry Poirey (19 Harborview Road) attempted to raise a concern about ADU employee restrictions but was ruled out of order as the public hearing had closed.*

*Kerry Tripp (400 Park Avenue) requested future discussion about ADUs between Mayor and City Council.*

**G. ADJOURNMENT Time: 8:05 PM**

*Motion: Deputy Mayor Saliba moved to adjourn the meeting. Second: Councilmember Brown-Hicks seconded.*

*Result: Motion carried unanimously*

*The meeting adjourned at approximately 8:05 PM.*

Minutes Submitted By: Jeffery Coover, Administration Support Specialist

Minutes Generated using HeyGov.ai

Transcripts available upon request.

Minutes Approved By:

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*Tim Ritzert, Secretary*

**City of Lewes**  
**MAYOR & CITY COUNCIL**  
**Monday, April 13, 2026**  
**REGULAR MEETING MINUTES**

The Lewes Mayor & City Council met on **Monday, April 13, 2026 in Council Chambers at Lewes City Hall**, in accordance with proper notification, with the following members present: Mayor Amy Marasco, Deputy Mayor Khalil Saliba and Councilpersons Tim Ritzert, Joe Elder and Trina Brown-Hicks. City Solicitor Alex Burns, City Manager Ellen Lorraine McCabe, Deputy City Manager Janet Reeves, Lieutenant Jamie Locklear, Building Official Jon Ward, and City Clerk Ashley Akgoren were also present.

**A. CALL TO ORDER & ROLL CALL: [Time: 2:42]**

*Mayor Amy Marasco called the meeting to order at 5:30 PM. The meeting began with the pledge of allegiance followed by a moment of silence, with Mayor Marasco asking everyone to think about those in the Middle East on all sides facing difficult circumstances.*

**B. AGENDA REVIEW: [Time: 4:25]**

*Mayor Marasco discussed the council's work on implementing a consent agenda to improve meeting efficiency while maintaining transparency. She clarified that the intent was never to reduce transparency but to avoid lengthy meetings. Councilmember Ritzert, who serves on the governance working group with the mayor, suggested that council minutes would be suitable for consent agenda inclusion. Mayor Marasco also proposed that appointments could be handled through announcements rather than lengthy deliberations, since appointments are already vetted collegially before reaching the council.*

*City Clerk Ashley Akgoren also noted that conditional use agreements like those with Beebe Healthcare (item K.2) would typically go on a consent agenda, but this particular item involved extending terms from one year to five years, making it different enough to warrant separate discussion.*

*Mayor Marasco emphasized that any councilmember could pull items from a consent agenda for full discussion if desired.*

**C. UPDATE ON COUNCIL INITIATIVES [Time: 7:55]**

*This item was combined with announcements.*

**D. ANNOUNCEMENTS: [Time: 7:57]**

*Mayor Marasco congratulated Councilmember Trina Brown-Hicks on receiving a Freedom Fund Award from the Lower Sussex NAACP, which many council members and residents attended.*

*Councilmember Brown-Hicks shared her acceptance speech, speaking about "the fierce urgency of now" and the continued need for hope and engagement in the face of challenges.*

*Councilmember Brown-Hicks announced several upcoming events for Lewes 250 and the African American Heritage Commission:*

- May 30th at 10 AM: Interpretive sign unveiling at Johnnie Walker Beach with pictures, QR code, and historical information*
- May 30th evening: "Once in a Blue Moon" event featuring dance, live music, food, and entertainment with one free beverage, celebrating the old Happy Day Club atmosphere. Tickets are \$75 per person, with 60 already sold. The event will be held at the American Legion from 6-10 PM.*
- June 27th: Fifth annual Juneteenth celebration in George H.P. Smith Park from 1-6 PM featuring live music, spoken word, food trucks, and retail vendors.*

*Deputy Mayor Saliba announced the Open Space Alliance 5K on April 25th at 9 AM to raise money for the Fourth Street Preserve implementation.*

*Councilmember Elder reminded everyone about the Parking Working Group meeting on April 17th at 9 AM in Council Chambers.*

*Mayor Marasco announced a Lewes Chamber coffee meeting on May 4th at 8 AM at the Net House for downtown businesses to discuss city services and needs, with representatives from Lewes 250, state and county economic development, and city leadership attending.*

**E. PROCLAMATIONS [Time: 14:45]**

**1. Arbor Day Proclamation - 2026**

*Mayor Marasco presented the Arbor Day Proclamation recognizing April 24th, 2026, as Arbor Day. She highlighted Lewes as a tree city and the importance of trees for environmental health and community beauty. The proclamation emphasized the city's commitment to maintaining trees in parks, public spaces, and streets, and encouraged residents to continue planting and caring for trees.*

*Mayor Marasco announced a tree dedication ceremony on April 24th at 10 AM at the library pavilion, featuring the semiquincentennial tree (a swamp oak already planted) and distribution of 250 native tree saplings on a first-come, first-served basis, generously donated by the state forestry service.*

**2. Historic Lewes Farmers Market Proclamation - 2026**

*Mayor Marasco read the complete proclamation recognizing May 2nd, 2026, as Historic Lewes Farmers Market Day.*

*Representatives from the Historic Lewes Farmers Market accepted the proclamation and thanked the council for recognizing their mission to help farmers and feed people.*

**F. APPROVAL OF MINUTES:**

**1. Mayor & City Council Minutes**

*[Time: 20:47]*

**Motion:** Councilmember Ritzert moved to approve the minutes described in F1. Councilmember Elder seconded. Motion passed unanimously.

**G. APPOINTMENTS**

**1. Consideration to appoint Brian Kellman to the Bike and Pedestrian Advisory Committee for a term of 3-year term, beginning January 1, 2026, and ending January 1, 2029.**

Deputy Mayor Saliba, serving as ex-officio to the bike and pedestrian committee, noted the committee's recent engagement in initiatives including a master plan review and expanding membership. He stated that Brian Kellman would be a positive influence and make valuable contributions to the committee's work.

**2. Consideration to appoint Greg Walden to the Board of Adjustments for a term of 3-year term, beginning May 5, 2026, and ending September 1, 2027.**

Mayor Marasco clarified that Walden would be completing a term rather than serving a full three-year term, with Councilmember Elder having initially brought forward this nomination.

**3. Appointment of Kay Carnahan and Dennis Reardon to serve as Election Officers for the 2026 Municipal Election.**

Kay Carnahan and Dennis Reardon were recommended for appointment as election officers (poll workers) for the upcoming election, with both having relevant experience in city governance.

**Motion:** Deputy Mayor Saliba moved to approve all three appointments (G1, G2, and G3). Councilmember Ritzert seconded. Motion passed unanimously.

#### H. SCHEDULING PUBLIC HEARINGS

1. Possible action to schedule a public hearing on **May 4th, 2026, at 5:30 p.m. in the Bonnie Osler Meeting Room** regarding Ord 2-26 - A proposed ordinance to amend Chapter 197, "Zoning," Section 197-46.1, of the Municipal Code of the City of Lewes "Accessory Dwelling Units (ADUs)". ([Current Ordinance](#))

**Motion:** Councilmember Elder moved to schedule a public hearing for May 4th at 5:30 PM in the Bonnie Osler Meeting Room regarding Ordinance 2-26 (ADU ordinance). Deputy Mayor Saliba seconded. Motion passed unanimously.

2. Possible action to schedule a public hearing on **May 4, 2026, at 5:30 p.m. in the Bonnie Osler Meeting Room** regarding a Charter change to include the Lewes Resiliency Fund.

**Motion:** Deputy Mayor Saliba moved to schedule a public hearing for May 4th (after the first hearing) regarding the Lewes Resiliency Fund Charter Change. Councilmember Ritzert seconded. Motion passed unanimously

#### I. PRESENTATION OF THE CITY MANAGEMENT REPORT *(Includes report information from Lewes PD, Lewes Fire Department and BPW)*

1. *[Time: 25:57]*  
Deputy City Manager Janet Reeves presented a comprehensive report covering upcoming events, programs, and city services.

#### J. OLD BUSINESS:

1. **Continued discussion and possible action regarding Ord. 4-26 - A proposed ordinance to amend Chapter 197, "Zoning," Section 197-45 of the Municipal Code of the City of Lewes, regarding use restrictions for Home-Based Businesses. (Elder/Ritzert) (20 Minutes)**

*[Time: 1:00:19]*

City Solicitor Alex Burns presented key changes in the April 13th draft of the home-based business ordinance:

##### **Major Revisions:**

- **Line 67:** Limited carve-out for low-impact home businesses with no non-resident employees, customers, or hazardous materials, exempting them from city-level fire marshal review (state regulations still apply)
- **Line 138:** Removal of delivery requirements for low-impact businesses
- **Line 157:** Updated vehicle delivery requirements using Federal Highway Administration standards
- **Line 161:** Extended hours of operation from 7 AM-5 PM to 7 AM-7 PM
- **Line 169:** Safety valve allowing high-impact businesses to apply for conditional use even if they cannot meet all operational standards
- **Line 209:** Clarified Planning Commission recommendation process with final

action by Mayor and City Council

- **Line 252:** Cleaned up medical office definition

**Motion:** Councilmember Elder moved to accept the ordinance as submitted.

Councilmember Ritzert seconded.

**Roll Call Vote Discussion:**

**Councilmember Elder:** Supported the ordinance, emphasizing the extensive time spent reviewing it, significant public input received, and minor adjustments made. He noted strong support at the last meeting and felt sufficient deliberation had occurred.

**Councilmember Ritzert:** Concurred with Elder's statements, expressing pride that the ordinance protects residential communities while meeting governmental standards for neighborhood protection.

**Councilmember Brown-Hicks:** Supported the ordinance after extensive review by both council and residents, emphasizing consideration of overall resident preferences.

**Deputy Mayor Saliba:** Supported the ordinance while acknowledging it went through numerous iterations; however, he noted his belief that the ordinance remained overly burdensome for applicants and wished for more acknowledgment of home-based business needs.

**Mayor Marasco:** Voted in support, highlighting the Planning Commission's move to an impact-based approach rather than listing specific businesses. She acknowledged remaining burdensome areas for small businesses while recognizing their importance for income generation and attracting younger families. She praised the thorough public process and noted environmental benefits (eco-friendly, no commuting) and safety benefits (eyes on the street) of home businesses.

**Motion passed unanimously.**

## K. NEW BUSINESS:

### 1. Presentation of the City of Lewes Nonprofit Grant Awards for 2026. (Staff) (15 minutes)

*[Time: 1:11:16]*

Mayor Marasco provided background on the new grant program, explaining how the Finance Committee developed a systematic process to replace the previous ad hoc approach to nonprofit funding. The review committee included Councilmember Brown-Hicks (chair), City Manager McCabe, Finance Committee members Kerry Tripp, George Cole, George Farrah, and Debora Hansen. The city allocated \$100,000 total for small and large grants.

Councilmember Brown-Hicks presented grants to the following organizations, with representatives accepting and offering brief remarks:

#### Grant Recipients:

- Overfalls Foundation (2 grants - small and large for different programs)
- Go Forth 250 Fireworks
- Historic Lewes Farmers Market
- Historic Book Festival at Lewes
- Lewes Historical Society (2 grants - small and large for different programs)
- DAR (Daughters of American Revolution)
- Lewes Public Library
- Friends of Lewes Canal Front Park
- Children's Beach House

Mayor Marasco noted that the Finance Committee would review the process and provide feedback to organizations for future applications.

**2. Discussion and possible action to renew the conditional use agreements with Beebe Healthcare for a term of five (5) years, for the following properties: (Staff) (10 minutes)**

Mayor Marasco explained that these conditional use agreements for four Beebe Healthcare properties (406, 410, 440 Market Street, and 902 Savannah Road) were being changed from one-year terms to five-year terms.

**Motion:** Councilmember Elder moved to approve the conditional use agreements with five-year terms. Councilmember Brown-Hicks seconded. Motion passed unanimously.

**3. Discussion and possible action to approve the City Manager's recommendation regarding the qualifications of the candidate(s) for the office of Councilmember for the 2026 Municipal Election to be held May 9th, 2026. (Staff) (5 minutes)**

City Manager McCabe confirmed that three candidates (Joe Elder, Kevin Keane, and Tim Ritzert) met all qualifications for the May 9th municipal election: U.S. and Delaware citizenship, one-year Lewes residency, at least 21 years of age, and no felony convictions.

**Motion:** Deputy Mayor Saliba moved to approve the slate of three candidates. Councilmember Brown-Hicks seconded. Motion passed 3-0 with Councilmembers Elder and Ritzert abstaining.

**4. Discussion and possible action on a resolution to approve three (3) four-way stops on Cedar Street. (Staff) (15 minutes)**

City Manager McCabe requested approval for three four-way stops on Cedar Street at Market Street, Michigan Avenue, and New York Avenue intersections. DeIDOT will handle installation with signage and striping costs of approximately \$12,500 or less.

Councilmember Elder praised the long-awaited safety improvement for beach visitors and residents. City Manager McCabe noted this resulted from productive quarterly DeIDOT meetings, with DeIDOT providing a credible alternative to crosswalks (which weren't permitted due to lack of sidewalks) at a reasonable cost to the city.

**Motion:** Deputy Mayor Saliba moved to approve the three four-way stops on Cedar Street. Councilmember Ritzert seconded. Motion passed unanimously.

Mayor Marasco confirmed that variable message boards would communicate the changes to the public and tourists.

**5. Discussion and possible action to award the bid for the Hoornkill Avenue water and sewer infrastructure project. (Staff/City Engineer) (10 minutes)**

Ben Hearn, engineer from GMB presented the bid results for the Hoornkill Sewer and Water Extension Project, which removes failing septic systems and connects 11 homes to Lewes Board of Public Works systems. Three bids were received, with Teal Construction submitting the lowest responsible bid of \$2,097,897, including \$442,964.54 for city road improvement responsibilities.

The project includes creating a proper turnaround at Hoornkill's terminus to accommodate fire trucks, trash trucks, and general traffic, eliminating the need to use

private driveways.

**Motion:** Deputy Mayor Saliba moved to approve the Teal Construction recommendation contingent upon BPW approval. Councilmember Ritzert seconded. Motion passed unanimously.

**6. ~~Discussion and possible action to approve a streetscape design for the W. Fourth Street & Park Avenue Street Improvement Project (City Engineer) (15 minutes)~~**

**Further discussion will be held at the Mayor & City Council Work Session to be held on 4/22/2026 starting at 10 AM and meeting in the Bonnie Osler Meeting Room of the Margaret H. Rollins Community Center.**

**7. Discussion and possible action to approve a Memorandum of Understanding between the City and the property owner of The Lodge (Staff) (15 minutes)**

City Manager McCabe presented a Memorandum of Understanding with Lewes Senior Living Owner LLC regarding business license fees and gross receipt rental tax for prior years and future processes. The agreement establishes a \$1,500 monthly rental fee per independent living unit, adjusted annually by 5%, with full reviews every five years. The arrangement covers only independent living units, as licensed healthcare facilities are exempt from gross receipt rental tax.

City Solicitor Burns clarified that the final version would be between Lewes Senior Living Owner LLC and the city, striking Vantage Point Retirement as a party.

**Motion:** Deputy Mayor Saliba moved to approve the MOU between the City of Lewes and The Lodge regarding long-term rental taxes. Councilmember Elder seconded. Motion passed unanimously.

**L. PUBLIC COMMENTS:**

*[Time: 1:36:39]*

**Stephen Matthews (405 Savannah Road):** *Argued that if council's stated concerns about noise, odors, and disturbances from dog grooming businesses are valid, the same logic should apply to dog ownership generally, especially in attached housing. He contended that visiting dogs from tourists and short-term rentals pose similar unpredictability concerns and suggested the council's reasoning logically extends to banning dog ownership in attached dwellings.*

**Dennis Reardon (1302 Bay Avenue):** *Raised three concerns:*

1. *The May 11th meeting date conflicts with charter requirements for post-election meetings (must be more than 7 days after May 9th election).*
2. *Appointments should not be placed on consent agendas as volunteers deserve acknowledgment and public voting.*
3. *Public hearing scheduling should remain as separate agenda items for clarity, citing confusion when such items were bundled in consent agendas.*

**Patty Lazik (401 Savannah Road):** *Thanked council for their work on home-based business regulations, emphasizing the importance of residents being able to enjoy their homes in the historic district. She appreciated the extensive process and noted that participating helped her get to know her neighbors better.*

**Sara Prieto (405 Savannah Road):** *Expressed disappointment that no compromises were made for their low-impact grooming business despite being on commercial property. She*

*noted that animal businesses were removed from low-impact categories, residences on commercial properties were ignored, and the distinction between grooming and kenneling was reversed after unanimous council approval. She announced plans to provide grooming services to first responder friends and dog rescues as charitable work rather than commercial activity.*

**M. ADJOURNMENT:** [Time: 1:45:42]

*Mayor Marasco asked for a motion to adjourn the meeting. Councilmember Ritzert made a motion to adjourn. (No second given.) The meeting was adjourned at approximately 7:15 PM.*

Minutes Approved By: Jeffery Coover, Administrative Support Specialist

Minutes generated using HeyGov.ai.

Transcript available by request

Minutes approved by:

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*Tim Ritzert, Secretary*

**City of Lewes**  
**MAYOR & CITY COUNCIL WORK SESSION**  
**Wednesday, March 25, 2026**  
**MINUTES**

The Lewes Mayor & City Council met on **Wednesday, March 25, 2026 at THE BONNIE OSLER MEETING ROOM**, in accordance with proper notification, with the following members present: Mayor Amy Marasco, Deputy Mayor Khalil Saliba and Councilpersons Tim Ritzert, Joe Elder and Trina Brown-Hicks. City Manager Ellen Lorraine McCabe, Deputy City Manager Janet Reeves, City Solicitor Alex Burns, and City Clerk Ashley Akgoren were also present.

**A. CALL TO ORDER & ROLL CALL: [00:23:02]**

*Mayor Amy Marasco called the meeting to order at 10:00 AM.*

**B. ANNOUNCEMENTS [00:46:25]**

*Mayor Marasco announced that she and Betsy Reamer attended a Main Street Delaware program meeting in Dover the previous day. She explained the program involves communities across Delaware with downtown Main Street programs, including Rehoboth, Milton, Dover, and Wilmington. Mayor Marasco emphasized they are not taking action on this yet but are exploring options for the City of Lewes.*

*Mayor Marasco also announced that the Lewes Chamber of Commerce will host business roundtables specifically for businesses within the city limits. She explained that while the Lewes Chamber serves the entire zip code, they are working to cultivate relationships specifically with city businesses. The roundtables will include presentations on Lewes 250, with Mary Alice Kelly presenting and Betsy Reamer attending to identify specific business needs. Two sessions are planned - one in April and one in May - offering both breakfast and lunch options, with venues including the Net House and Dogfish Head. The Chamber will cover all food costs, and the focus will be on listening to business needs.*

**C. AGENDA REVIEW: [01:46:25]**

*Mayor Marasco announced changes to the agenda order. Given the audience present, she proposed moving items E.4 and E.5 (ADU discussions) to follow items E.1 and E.2, then conducting E.4 and E.5 together. She noted this would allow people to leave after the ADU discussion if they wished. The mayor emphasized that the ADU discussion would include an updated ordinance draft that council has been working on in response to public comments, with the city solicitor walking through the changes.*

**D. PRESENTATIONS:**

**E. DISCUSSION OF ITEMS:**

*(No action to be taken on any discussion items)*

**1. Update on Phragmites Management Plan (Staff) (15 Minutes)**

[03:31:91]

Deputy City Manager Janet Reeves presented the updated phragmites management plan, explaining that Lieutenant Locklear and Sam Topper from wildfire services conducted site visits to each zone originally identified in the 2019 plan. She noted that while the basic data on phragmites and eradication methods hasn't changed, they needed to update council on zone modifications.

**Zone 1 (Cape Henlopen Drive):** Recommended for removal from treatment due to very little exposure risk. The phragmites is thin and not dense, located on the opposite side of the road from structures.

**Zone 2 (Behind American Legion Road):** Adjacent to buildings on Savannah and

Cape Henlopen Drive and the American Legion building. This area was maintained several years ago, and site visits revealed that trees and native growth have helped control phragmites growth. It will remain on the monitoring list.

**Zone 3 (Other side of American Legion Road):** Near the wastewater treatment plant and Queen Anne's Pier, this zone will remain in the plan and continue to be monitored.

**Zone 4 (Behind Beacon Hotel/Blue Water House area):** The primary exposure risk is to the Blue Water House, so maintaining defensible space around this property remains the priority.

**Zone 5:** This area hasn't been treated in several years but will remain on the plan with edge mowing where there is exposure risk. Councilmember Ritzert noted this area now has more homes at risk due to the built-out Crow's Nest subdivision, and Reeves confirmed it's a high priority remaining on the management plan.

**Zones 6 and 7 (Pilot Town Road):** Both will remain on the list, located past the University of Delaware and the bridge.

**Zone 8 (Horkill area):** This area poses very little risk but will be used as a testing area for treatment methods including mowing, spraying, and controlled burns. Any spraying would be manual rather than aerial, and burns would only occur during summer months under appropriate weather conditions.

**Zone 9 (New Road):** Similar to Cape Henlopen Drive with very light, non-dense phragmites, recommended for removal from the plan.

**Zone 10:** Will remain on the plan for either prescribed burn or spray treatment, located behind Pilottown Reserve backing up to Canary Creek.

**Zone 11 (Anglers Road by marina):** Will remain on the map for management. Councilmember Ritzert questioned whether Zone 8 would involve chemical testing, and Deputy City Manager Reeves clarified that all three management tools (mowing, spraying, controlled burn) could be tested, with appropriate resident notification for spraying or burning.

Councilmember Elder asked about who performs the work, with Deputy City Manager Reeves explaining that city maintenance staff handle mowing, spraying is contracted out due to certification requirements, and Sam Topper coordinates any burns with the state.

Councilmember Brown-Hicks asked about exposure risk, with Deputy City Manager Reeves explaining this refers to maintaining defensible space between phragmites growth and structures for emergency vehicle access. She clarified that while phragmites doesn't spontaneously combust, cut phragmites that dries on the ground can start fires. Regarding management frequency, the current plan from 2019 typically gets updated every five years, though Lieutenant Locklear wants a more comprehensive 10-20 year plan.

Mayor Marasco noted that phragmites science is evolving, with changing views on their role in carbon sequestration and erosion control, making the experimental area valuable. She emphasized the focus on managing risk areas while not managing areas that don't pose threats.

2. Update and discussion regarding DNREC's public access requirements for Lewes beaches.

(Staff) **(15 Minutes)**

[18:07:12]

Deputy City Manager Reeves reported on meetings with DNREC regarding shoreline public access requirements. DNREC is meeting with all coastal communities to ensure compliance with guidelines for receiving federal and state beach replenishment funds, focusing on ensuring public beaches have access points and parking for everyone.

The city has identified parking at Johnny Walker Beach and Savannah Beach (paid lots), Roosevelt Inlet (unpaid lot), and various areas between Savannah and Roosevelt Inlet. Rather than delineating all parking spaces along Cedar Street (a state road), staff recommended delineating no-parking areas with clear signage. Last summer, the city striped areas from access roads to Cedar Street in yellow for visibility and safety.

**Beach Access Points:** The city has 23-24 beach access points, exceeding DNREC's recommended quarter-mile spacing. Fourteen access points have mobi mats, with some extending partially over dunes. The budget includes funds for three additional access mats this season.

**Beach Wheelchairs:** Available at Savannah Beach (including submersible wheelchairs that can go into water) and at Roosevelt Inlet through Quest concessions (five wheelchairs).

**Signage:** Current beach access signs along Bay Avenue are faded and some blocked by foliage. New signs will be provided and installed.

**Restrooms:** Public restrooms exist at Johnnie Walker Beach and Savannah Beach, with portable restrooms at Roosevelt Inlet. Staff discussed potential locations for additional portable restrooms at crossovers - two between Roosevelt Inlet and Children's Beach House, and three between Beach House and Savannah Beach. These would cost approximately \$500 per month and operate seasonally (May to October).

Deputy Mayor Saliba clarified that restrooms aren't required by DNREC but are being explored as part of the five-year plan. Deputy Mayor Saliba expressed concern about restrooms near residential areas due to potential odor issues, noting this is a NIMBY situation. Councilmember Elder referenced complaints about people burying diapers and waste in sand, which portable restrooms could address while creating other issues.

Deputy City Manager Reeves explained that DeIDOT would require sidewalks for parking space delineation, which would be cost-prohibitive. The alternative approach of posting no-parking signs and providing maps (website and kiosks) is more feasible. He noted the plan submission deadline is July 1st, with implementation likely for next summer rather than this season.

Deputy Mayor Saliba emphasized that DNREC isn't imposing a one-size-fits-all approach and is working with each community's specific needs. He noted that Cape Shores is developing their own plan to be included in the city's submission, as they're moving from self-funded to state-funded beach replenishment due to increased frequency and costs.

City Manager McCabe indicated they're working to implement portable restrooms this season if locations can be identified with appropriate public outreach and support.

**Public Comments:**

**Dennis Reardon (1302 Bay Avenue)** commented during public discussion, praising the beach access efforts and specifically recommending portable restrooms at Children's Beach House corners (Washington and Michigan) due to high complaint levels in that area. He noted the mile-and-a-half distance between inlet and Savannah Road with no public facilities.

3. Discussion of City operations and governance, specifically clarifying the roles and responsibilities of officials. (Elder/Ritzert) **(20 Minutes)**

[78:28:86]

Councilmember Elder introduced the discussion, explaining that FOIA prevents council from privately discussing roles and governance, requiring public discussion. He noted the city charter is complex to navigate, and this discussion aims to support shared understanding of government structure and how officials work together effectively.

Councilmember Elder referenced a document lifted directly from the charter, explaining it's easier to read than navigating the online version. The discussion included guiding questions to help reach conclusions about roles and potentially develop regular governance discussions or create a public primer for the website.

**Governance Challenges:** Council members noted they receive \$3,000 annually for 30-40 hours weekly of service. Councilmember Elder emphasized that FOIA restrictions prevent strategic planning discussions except in public forums like work sessions. He stressed the need for council to work together effectively while avoiding conflicts that could harm city operations.

**Vision Development:** Mayor Marasco supported the idea of a May work session visioning discussions, noting the relationship to the comprehensive plan. She referenced previous strategic planning efforts that were hampered by FOIA restrictions. Mayor Marasco emphasized that projects and budgets should flow from established vision elements.

Deputy Mayor Saliba noted the balance between representing constituents and using individual judgment in representative government, explaining that representatives aren't required to do everything constituents request if it conflicts with broader principles or community needs.

**Implementation Oversight:** Mayor Marasco emphasized the need for better communication about policy implementation impacts on city staff workload. She noted the city manager has indicated staff are overworked and tired, requiring City Council to consider implementation capacity when developing policies. She encouraged the City Manager McCabe to have a strong voice in work sessions regarding practical execution concerns.

**Future Discussions:** The governance team (Councilmembers Ritzert and Elder, Deputy Mayor Saliba, Mayor Marasco, and City Manager McCabe, with City Solicitor Burns available) will continue working on updated staff liaison roles, ex officio responsibilities, and nomination processes for the next work session.

**Public Comments:**

**Robert Ormsby (211 Ocean View Boulevard)** commented in support of defining strategic direction, noting it would provide a framework for activities, budgeting, and decision explanations to citizens.

4. Continued discussion regarding Ord 2-26 - A proposed ordinance to amend Chapter 197, "Zoning," Section 197-46.1, of the Municipal Code of the City of Lewes "Accessory Dwelling Units (ADUs)" (Formerly Ord 3-24) (Marasco/Elder) **(25 Minutes)**

[36:34:00]

*(Items E.4 and E.5 were discussed together as announced in the agenda review)*

Mayor Marasco explained that council heard a wide range of comments through the planning commission and public hearings, including concerns about residency, past practices, property values, and issues sometimes conflated with short-term rentals. Council has worked to address these concerns comprehensively. She noted that an updated March 18, 2026 draft ordinance was available, though not previously posted for the public.

City Solicitor Alex Burns presented the major changes in the new draft:

**Exemption for Existing ADUs:** Any ADU existing as of January 1, 2027 (placeholder date) as shown in city rental licensing records would be exempt from three specific requirements: owner occupancy requirements, additional off-street parking space requirements, and prohibition on short-term rentals.

The exemption includes conditions: owners must continue submitting gross receipt rental tax to the city annually. If they fail to do so for two consecutive years, the exemption terminates and full ADU requirements apply. The exemption conveys with property sales unless the rental licensing lapses for two consecutive years.

**New ADUs:** Anyone building an ADU after January 1, 2027 must comply with all existing requirements, including owner occupancy.

**Technical Change:** The owner affidavit requirement moves from building permit stage to certificate of occupancy stage.

**Discussion and Questions:**

Deputy Mayor Saliba asked about conveyance upon property sale, with Solicitor Burns confirming exemptions do convey unless owners fail to maintain rental licenses for two consecutive years.

Councilmember Ritzert questioned the rental licensing records reference, suggesting clearer language about annual license terms ending December 31st. He also asked about inspection compliance for existing ADUs, with Solicitor Burns confirming that change of occupancy triggers inspection rights (line 91) and annual rental license applications allow city inspection.

Mayor Marasco posed a hypothetical about flexibility in designating which building serves as the ADU versus primary residence. She noted that allowing property owners to choose could provide more housing options for families while maintaining the owner-occupancy concept.

Councilmember Elder discussed the challenge of differentiating between true ADUs (two units per property) and pre-existing nonconforming rental properties with multiple units (some having 3-5 units). He suggested thinking of pre-2024 properties as "nonconforming rental properties" rather than ADUs to avoid confusion.

Councilmember Ritzert clarified that ADUs are specifically two living units on one

property, while subdivided houses with multiple units are apartments, which don't qualify as ADUs under the code.

Building Official Jon Ward noted that some properties may have multiple ADUs or structures that may not be habitable, emphasizing the importance of inspection capabilities.

Councilmember Brown-Hicks asked about legal nonconforming versus nonconforming terminology, with Solicitor Burns indicating they're essentially the same.

**Size and Setback Clarifications Needed:** Deputy Mayor Saliba and Building Official Ward identified needed clarifications regarding the 900 square feet maximum (found in accessory use language rather than ADU language), 1.5 story definitions, and setback requirements. Currently ADUs follow accessory setbacks (allowing 3 feet from property lines) rather than dwelling setbacks (8 feet), which creates issues for neighboring properties with people living in close proximity.

**Public Comments:**

**Dede Haas (335 Mulberry Street)** thanked City Council for the exemption approach, noting her 27-year ownership of a conveyed ADU property. She clarified that many owners knew affordable housing was being addressed but didn't know they would be considered illegal after the September 2024 ordinance. She appreciated the January 1, 2027 date allowing preparation time and confirmed understanding of inspection requirements and licensing processes.

**Martha Good (116 Manila Avenue)** expressed her support for what was currently on the table and expressed appreciation for the Mayor & City Council's efforts.

**Thierry Poirey (19 Harborview Road)** commented during public discussion about strengthening cooking facility requirements, noting current definitions are too minimal for standalone living units that should have proper kitchen amenities including countertop space and appropriate appliances.

**Holly Shimizu (427-432 Kings Highway)** expressed her appreciation for the consideration of existing ADU's.

**Marylinda Maddi (12 Rhode Island Avenue)** supported creating exemptions for pre-September 2024 entities but questioned why the date changed to January 1, 2027. Mayor Marasco explained this provides additional time for education given confusion among property owners and realtors.

**Next Steps:** The ordinance will be placed on the April 13th council agenda for scheduling a public hearing, with the hearing date set for May 4th. City Solicitor Burns and Building Official Ward will work on clarifying kitchen facility requirements, size limitations, and setback distinctions between accessory structures and ADUs.

5. Discussion regarding residency requirements for properties with Accessory Dwelling Units. (Marasco/Elder) **(25 Minutes)**

[36:34:00] **(Discussion combined with Agenda item #4)**

**F. PUBLIC COMMENT: [109:54:64]**

**Dennis Reardon (1302 Bay Avenue)** addressed paper streets on Lewes Beach, questioning whether any actually exist. He noted confusion about areas on the bay side of Bay Avenue

*being called paper streets, explaining that true paper streets would require 25-foot setbacks that would make current beach houses nonconforming. He clarified that former paper streets on the canal side of Cedar Street and Cape Henlopen Drive were declared open space. Building Official Jon Ward explained that if streets are recorded in the recorder of deeds, they remain paper streets until officially changed. Deputy Mayor Saliba noted that areas are colloquially referred to as paper streets even though they're legally open space.*

***Thierry Poirey (19 Harborview Road)*** commented on vision development coordination with the comprehensive plan process, noting the April 7th Planning Commission meeting with consultants where Mayor and City Council members are expected to participate. He expressed concern about potential parallel or diverging discussions between City Council and the Planning Commission without coordination. Mayor Marasco clarified this would be a project kickoff meeting to ensure all participants understand the comprehensive plan process, not substantive visioning.

*Mr. Poirey also advocated for council to directly address accessory use issues (bedrooms over garages) rather than remanding to the Planning Commission, suggesting inclusion in the ADU ordinance revision process.*

**G. ADJOURNMENT:** [127:02:00]

***Motion:*** Deputy Mayor Saliba moved to adjourn the meeting. Councilmember Ritzert seconded the motion. The motion carried unanimously.  
*The meeting adjourned at 12:07 PM.*

Minutes submitted by: Jeffery Coover, Administrative Support Specialist

Minutes generated by HeyGov.ai

Transcripts available upon request

Minutes Approved By:

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*Tim Ritzert, Secretary*

**City of Lewes**  
**MAYOR & CITY COUNCIL WORK SESSION**  
**Wednesday, April 22, 2026**  
**MINUTES**

The Lewes Mayor & City Council met on **Wednesday, April 22, 2026 at THE BONNIE OSLER MEETING ROOM**, in accordance with proper notification, with the following members present: Mayor Amy Marasco, Deputy Mayor Khalil Saliba and Councilpersons Tim Ritzert, Joe Elder and Trina Brown-Hicks. City Manager Ellen Lorraine McCabe, Deputy City Manager Janet Reeves, City Solicitor Alex Burns, City Engineer Andrew Lyons, and City Clerk Ashley Akgoren were also present.

**A. CALL TO ORDER & ROLL CALL:**

**Time: 00:00:24**

*Mayor Marasco called the meeting to order at 10:00 AM on Wednesday, April 22, 2026.*

**B. ANNOUNCEMENTS Time: 00:01:52**

*Mayor Marasco made several announcements:*

- *Lewes 250 events are available on the website*
- *Tulip Sips mocktail/cocktail voting is underway downtown*
- *Revolutionary Descent program at the library on April 23rd at 6:00 PM*
- *Arbor Day celebration on April 27th at 10:00 AM at the outdoor pavilion, featuring 250 native saplings (first come, first serve) and dedication of the semiquincentennial oak tree*
- *City Council candidate forum on April 27th at the library, organized by Ron Collins' "Shine a Light" program, with questions from Bill Shull (Gazette) and Madeleine Overturf (WRDE TV)*
- *Open Space Alliance 5K (Run & Walk) on Saturday supporting the Fourth Street preserve*
- *Shredding and medicine take-back event on Saturday at 8:00 AM (later corrected by Barbara Curtis to 10:00 AM) on Schley Avenue, hosted by BPW with city-sponsored document shredding*

**C. AGENDA REVIEW:**

**Time: 00:06:52**

*Mayor Marasco announced agenda modifications based on community interest:*

- *Item D.3 (Building Official presentation regarding online permitting) was deferred to another session*
- *Item E.1 (DNREC beach access update) would be presented first as a brief update*
- *Items would proceed in order: E.1, D.4 (Lewes Parking Working Group), D.2 (Dave Shook Moped Parking), E.2 (Fourth Street/Park Avenue), then back to D.1 (Army Reserve)*

*Mayor Marasco emphasized this was a work session for discussion and questions, not decision-making, with formal decisions reserved for council meetings.*

**D. PRESENTATIONS:**

1. **Presentation from Mike Vanderslice of Montrose Environmental regarding the Brownfields Program and possible grant opportunities for the municipal campus site.**

**Time: 02:35:35**

Michael Vanderslice of Montrose Environmental Solutions (rebranded as "Onterris" effective Earth Day 2026) presented findings from the Phase 1 environmental site assessment of the former Cape Henlopen Lewes Army Reserve Center.

## Phase 1 Assessment Findings

### Recognized Environmental Conditions:

- Oil water separator (hydrocarbon concerns)
- Historic indoor firing range (lead dust contamination risk)
- Potential lead shot in soil from outdoor munitions activities
- Controlled recognition of two removed tanks with "no further action" status (contingent on no land-disturbing activities)
- On-site drums and asbestos-containing materials throughout the facility

### Recommendations

- Site investigation and delineation of soil/groundwater conditions
- Asbestos abatement during any demolition/renovation
- Further lead dust testing to confirm complete removal
- Removal of remaining drums/containers

### DNREC Position

#### Time: 02:43:03

Vanderslice reported direct communication with DNREC's waste and hazardous substance team, confirming that Army Reserve cleanup efforts have not satisfied state requirements. DNREC will not approve redevelopment without additional testing and recommended pursuing the Brownfields Development Program.

### Grant Funding Availability

The City of Lewes is eligible for up to \$810,000 under current guidelines, with potential increase to \$825,000 under new policy expected by late May/early June. Funding breakdown:

- \$650,000 for investigation, cleanup, and assessment
- Additional buckets for supplemental services (cap inspections, vapor barriers, additional monitoring)
- All costs covered under single grant ceiling

### Implementation Timeline

#### 6-8 months total timeline:

- Application certification: 10 business days
- Brownfields Development Agreement: 10 business days
- Site investigation and remediation planning: several months
- Complete before property title transfer to protect city from liability

### Program Benefits

- No out-of-pocket city expenses
- Environmental liability protection for existing contamination
- No repayment required if city withdraws from purchase
- Legal fees covered up to \$5,000
- Community engagement costs included
- Building sciences coverage (asbestos, lead paint removal) up to 10% of grant

### Access Challenge and Solution

#### Time: 02:51:35

Mayor Marasco identified the ongoing challenge of obtaining Army permission for site access, despite months of efforts through proper channels. She proposed applying for the Brownfields grant immediately to strengthen the city's position with the Army, emphasizing that municipal developers can apply without current title ownership. Mayor Marasco noted her personal involvement in the original Brownfields legislation design and endorsed the program's value for thorough environmental assessment while protecting the community financially.

### **Council Questions**

Councilmember Elder questioned references to "demolition," seeking clarification on whether building preservation remained an option. Mayor Marasco clarified that previous informal conversations indicated demolition preference, but no formal council decision had been made. She emphasized that environmental testing would not damage the building structure.

### **Community Input**

**Thierry Poirey** (19 Harborview Road) asked for clarification on surface material removal and disposal coverage (confirmed as included).

**Pat Farina** (418 Jackson Street) inquired about federal program stability (Mr. Vanderslice confirmed strong bipartisan support as economic stimulus tool with 19:1 return on investment).

### **Action Direction**

Mayor Marasco requested this item be added to the next council meeting agenda to direct staff to submit the Brownfields grant application, emphasizing the competitive nature of available funding among Delaware municipalities.

## **2. Presentation from Dave Shook regarding proposed pilot program for moped parking.**

### **Time: 01:17:17**

Dave Shook presented his proposal for moped and scooter parking solutions, noting the 20-minute search time for downtown parking now equals driving to highway restaurants. He differentiated between vehicle types:

- Mopeds: have pedals, 20 mph, small combustion engine, require state registration/inspection
- Scooters: 50cc or less, 35 mph, require registration/inspection, no special license
- His Vespa: 150cc, requires motorcycle license
- Golf carts: not recommended due to size constraints

Mr. Shook's proposal focuses only on registered vehicles (mopeds and scooters), recommending free first-year parking to encourage adoption, followed by graduated permit fees. He showed examples of potential parking areas, including unused corner spaces that could accommodate 3-4 scooters per regular parking space.

Mr. Shook emphasized safety concerns when scooters park in regular spots, describing "parking rage" incidents and current ticketing for parking in cut-outs. He referenced Rehoboth Beach's successful scooter parking program.

### **City Council and Community Response**

Councilmember Elder supported this as an immediate solution complementing the broader parking master plan. Deputy Mayor Saliba recalled previous discussions with the bike and pedestrian committee, identifying specific locations like the M&T Bank lot and Second Street/Market Street corner.

City Engineer Andrew Lyons expressed safety concerns about the corner placement shown in photos, noting visibility issues for drivers backing out.

Councilmember Brown-Hicks asked about accommodating scooters in proposed employee parking area

### **Community Input**

**Linda Madrid** (524 Kings Highway) warned about enforcement challenges and potential violence over parking disputes, noting the small corner space in front of her business would impede car parking.

### 3. **Presentation from Building Official Jon Ward regarding the city's new online permitting process.**

Agenda item deferred to another session.

### 4. **Presentation from the Parking Working Group of a proposed pilot parking plan.**

**Time: 00:12:47**

Councilmember Elder introduced the parking working group's comprehensive proposal, emphasizing the community-driven nature and data-based approach. Parking Working Group Member Kerry Tripp presented the proposal on behalf of the diverse committee including City Council, Chamber of Commerce, business owners, Beebe Hospital, St. Peter's Church, and five in-town residents.

Ms. Tripp acknowledged Lewes' long history of parking studies and failed implementation attempts, noting this effort aimed to overcome past controversies through community involvement and data-driven solutions. The committee studied four in-town areas: City Hall, library area, George HP Smith Park, and Mercantile district, containing 1,150 parking spaces serving 824 homes/properties.

#### **The Pilot Proposal**

The pilot focuses on three streets between Third and Fourth Streets: Chestnut, Market, and Mulberry. The plan proposes:

- Zone parking for residents with passes (24 hours)
- Three-hour parking for all others (customers, visitors, employees, guests)
- The three-hour limit was specifically requested by the business community based on optimal customer turnover research

#### **Pass Allocation Formula**

- No off-street parking: eligible for 2 passes
- One off-street space: eligible for 1 pass
- Two or more off-street spaces: no passes
- Total of 353 residential passes for 353 parking spaces (not 824 homes)

This leaves 797 available spaces, minus 100 metered spaces, providing 697 unmetered spaces for business community use. The business community would decide how to allocate these spaces among customers, visitors, and employees.

#### **Additional Employee Parking**

The plan creates 200 additional employee-only parking spaces:

- Existing underutilized Otis Smith Park lot (60 spaces)
- New lot at Schley Avenue (140 spaces)

Ms. Tripp emphasized the Little League parking lot is not part of this proposal and remains unchanged.

#### **ADA Compliance and Mobility Concerns**

The committee is working with the City Manager McCabe to identify new disability parking spaces, particularly around St. Peter's Church where previous spaces were removed. The goal is to exceed ADA compliance for the aging population.

#### **Environmental Considerations**

The plan addresses "manspreading" parkers through striping and creates designated spaces for scooters, bikes, mopeds, and compact cars in areas with extra space after full car parking.

#### **Airbnb Impact**

The formula accounts for short-term rental pressure by allocating percentage of available spaces for temporary parking passes to non-residents, with at least 10% (69 spaces) earmarked for friends, family, and guests.

## Implementation Phases

### Phase 1 (Immediate Action Required):

- City Manager creates parking team (city manager, parking/police personnel, business member, 1-2 community members)
- Redesignate Otis Smith Park and Schley Avenue lots as employee-only
- Evaluate 1812 lot signage for consistent 3-hour parking
- Initiate city code amendments for 3-hour limits and residential parking zones

### Phase 2 (Parking Team Development):

- Identify additional spaces by removing unauthorized signage
- Stripe pilot streets
- Add bike/scooter/compact car spaces
- Verify yellow curb status and remove unneeded restrictions
- Identify additional ADA parking on Third Street
- Present parking solutions master plan to council

### Phase 3 (Implementation):

- Roll out changes with continuous monitoring
- Ensure enforcement consistency
- Make adjustments based on effectiveness

Ms. Tripp emphasized that after years of failed proposals, the community needs immediate relief rather than waiting for an expensive, time-consuming parking garage. The proposal provides a 3-to-1 ratio of non-residential to residential spaces, asking council to vote for the common good rather than "kicking the can down the road."

## Council Questions and Community Input

### Council Questions

Councilmember Ritzert inquired about costs for Schley Avenue improvements, noting previous GMB estimates of \$490,000 for both Schley and Otis Smith lots (included in the FY27 budget), and raised pedestrian safety concerns for employees walking from remote lots at night.

Councilmember Brown-Hicks asked about three-hour parking limitations for eight-hour shift employees, with Franz clarifying that 200 spaces would be available for 24-hour employee parking at the designated lots.

Deputy Mayor Saliba asked about passes, learning they would likely use license plate reader technology rather than physical passes, with residents registering their vehicles for zone parking within designated areas.

### Community Input

Multiple residents provided feedback during the work session:

**Thierry Poirey** (19 Harborview Road) praised the comprehensive study, estimating it saved the community over \$100,000 in professional consulting costs. He emphasized treating this as an investment rather than an expense and urged quick action with defined timelines.

**Lisa Decker** (416 West Fourth Street/320 Market Street) expressed concerns about non-transferable passes tied to license plates, advocating for Rehoboth Beach's model of transferable residential passes. She warned about displacement effects pushing employees to surrounding streets like Fourth Street.

**Mitzi Kratt** (410 West Fourth Street) raised concerns about farmers market parking impacts, noting vendors currently use the Smith Park lot that would become employee-only parking.

**Amy Dale** (Chestnut Street) supported transferable passes over license plate scanning

and endorsed the formula denying passes to properties with adequate off-street parking. **Lisa McDonald** (Lewes Business Owner/Parking Working Group Member) emphasized the need for professional parking management and noted that only the mercantile district has significant parking pressure.

**Barbara Curtis** (17 Shipcarpenter Square) asked about visitor parking duration and suggested considering stormwater impacts before paving lots.

**Bob Ciprietti** (Lewes Business Owner/Olde Town president) offered historical context of previous parking garage proposals and volunteered to join the committee while requesting inclusion in any pilot program.

#### **Mayor's Process Direction**

**Time: 00:57:38**

Mayor Marasco outlined next steps: a public hearing date will be set at the next council meeting, followed by council action. She provided specific feedback for proposal refinement:

- Clarify data accuracy, particularly regarding De Vries area walking distances
- Legal review of designated parking rights for taxpayer-funded infrastructure
- Define pilot evaluation metrics and success measures
- Address seasonal variations in parking demand
- Consider alternatives like diagonal parking in the master plan
- Include subject matter expert review of the final plan
- Ensure clear pilot "guardrails" and communication about scope

Mayor Marasco emphasized the City Council's commitment to action on difficult issues while maintaining proper process and community input.

## **E. DISCUSSION OF ITEMS:**

### **1. Update on DNREC's public access requirements for Lewes beaches.**

**Time: 00:10:07**

Deputy Mayor Saliba and Deputy City Manager Reeves provided a brief update on federal beach replenishment funding requirements. To maintain eligibility for federal funding, Lewes beaches must remain public, with DNREC requiring clearly delineated and identified parking spots from Savannah Road to the Yacht Club.

The city's Economic Environment Resiliency Commission has been working with DNREC on updated public access requirements. A plan addressing parking identification will be submitted within 1-2 weeks, coordinated with GMB engineer Brent. Cape Shores, which has been conducting independent beach replenishment, wants to join the Lewes replenishment area and will have their plan submitted simultaneously.

Deputy City Manager Reeves noted that beyond parking, the plan identifies beach crossovers

### **2. Continued discussion regarding proposed streetscape designs for the W. Fourth Street & Park Avenue Street Improvement Project (City Engineer)**

**Time: 01:48:16**

City Engineer Andrew Lyons provided a brief overview of the project driven by clean water infrastructure needs. The project includes:

- New water main installation on all streets with new services
- New storm drainage on West Fourth Street and Johnson Avenue
- New storm drain inlets requiring sidewalk and curb replacement
- ADA ramp upgrades to current code (federally mandated)
- Sidewalk replacement to meet current 6-inch curb standards (reduced from existing 8-inch)
- Minimum 4-foot sidewalks with 5-foot passing lanes every 200 feet where needed

## Required vs. Optional Elements

### Required:

- Yellow curb marking for no-parking enforcement (15 feet from hydrants, 20 feet from crosswalks, 30 feet from stop signs)
- ADA parking spaces on Market/Fourth blocks due to hospital and church proximity
- Mid-block crosswalk marking on Park/Johnson (state law requirement)

### Optional:

- Bike shadows and lane markings (recommended but not required)
- Street narrowing from 12-foot to 11-foot travel lanes (traffic calming measure per Delaware guidance)

## Community Meeting Survey Results

62 responses were collected (37 from Phase 1 area, 22 from Burton subdivision, 3 citywide). All but 7 responses favored two-way traffic, with the 7 dissenting votes coming from three Park Avenue properties (400, 406, and 422 Park Avenue).

### Major themes:

- Traffic calming requests (12 responses): increased police presence, lower speed limits, stop sign at Park/Johnson
- Landscaping requests (13 responses): 11 wanted increased/maintained tree coverage, 2 questioned homeowner maintenance responsibility
- Sidewalk requests (13 responses): 8 wanted current sidewalks restored on Fourth/Park, 3 opposed new sidewalks in Burton subdivision, 2 wanted existing sidewalks leveled
- Striping opposition: 8 responses opposed parking space striping throughout the project

Mr. Lyons noted that diagonal parking was studied but proved ineffective due to driveway interruptions and actually reduced total parking capacity.

### Community Input

**Elaine Simmerman** (418 W. Fourth Street) requested the area be called by its historic name "Camile or Camomile" rather than "Burton subdivision." She questioned federal ADA requirements for historic towns, expressing concern about losing the area's historic character through standardized suburban-style improvements. She emphasized Fourth Street's role as an emergency route and predicted increased traffic from the Route 1 underpass project, advocating against road narrowing.

**Lisa Decker** (416 W. Fourth Street) urged against narrowing Fourth Street, citing safety concerns for residents who must park on the street. She advocated for treating Fourth Street as a beautiful gateway, supporting underground utilities installation during construction, and maintaining existing cherry trees while having an approved replacement plan. She opposed parking line striping as creating urban character and reducing parking efficiency.

**Paul Kratz** (410 W. Fourth Street) emphasized the opportunity for underground utility installation during construction, noting it would be one-third the cost compared to future standalone projects and allow for full tree canopy without trimming requirements.

**Karen Keane** (425 Painter) raised line-of-sight safety issues at the Painter/Fourth Street intersection due to parked cars blocking visibility.

**Thierry Poirey** (19 Harborview Road) advocated for a 10-foot two-way bike lane along Fourth Street's full length, noting the safety hazards for cyclists and anticipating increased traffic from Route 1 changes.

**Pat Farina** (418 Johnson Avenue) expressed concerns about Phase 2 impacts and sidewalk placement affecting small front yards.

**Barbara Curtis** (17 Shipcarpenter Square) questioned the necessity of 5-foot sidewalks on both sides of streets, suggesting single-sided sidewalks could preserve space for trees and beautification.

**Taylor Cameron** (512 Dupont) supported underground utilities installation and strategic parking space striping to prevent conflicts during farmer market Saturdays.

**Bill Schmidt** (423 Park Avenue) requested publication of underground utility cost studies and suggested directing farmers market parking to the school rather than through Burton subdivision.

**Marylinda Maddi** (510 Railroad Avenue) demonstrated tree preservation possibilities, showing how root cutting under sidewalks could save mature trees, referencing a successful example at her property.

**Phil Cole** (419 Dupont) questioned the balance between water infrastructure urgency and comprehensive planning for utilities, plantings, sidewalks, and bike lanes. He asked about planting strip requirements, maintenance responsibilities, and standards.

**Kerry Tripp** (400 Park Avenue) supported plans to beautify the neighborhood and encouraged Mayor & City Council not to let decision making alter the schedule.

**Julia Carey** (30 Shipcarpenter Square) asked that the Mayor & City Council balance best practice vs. legality.

**Alice Morris** (Several Burton Avenue properties) advocated for maintaining the area's village character, opposing "duded up" improvements and emphasizing the walkable, neighborly atmosphere that defines the community.

### **Engineering Clarifications**

Mr. Lyons clarified that narrowing from 12-foot to 11-foot travel lanes follows Delaware traffic calming guidance for 35 mph zones. He confirmed that existing pedestrian facilities must be upgraded to current standards when disturbed, regardless of preference.

Regarding planting strips, Mr. Lyons noted no mandated size requirements, with 4-5 feet preferred per the city's landscape architect. City policies would govern maintenance requirements and acceptable plantings.

### **Mayor's Direction**

**Time: 02:31:46**

Mayor Marasco summarized community feedback showing preference for two-way traffic, returning conditions as close to current state as possible, minimizing markings, and preserving trees where feasible. She announced that enforcement measures are already being implemented, including variable message boards and increased police presence, particularly for traffic coming from New Road.

Regarding underground utilities, Mayor Marasco clarified no formal study exists, but estimates have been obtained. The city will consider bid alternates to determine true costs and explore funding options.

She directed staff to prepare a hybrid proposal incorporating community feedback rather than presenting the original three options, while also including the original options for comprehensive public hearing input. Mayor Marasco requested analysis of regulatory requirements versus best practices, seeking appropriate waivers where possible while respecting ADA requirements and historic district character.

Councilmember Ritzert cautioned that while Burton neighbors had spoken clearly, this public project affects all city residents who haven't yet been heard, emphasizing the need for full public discourse at the hearing.

**F. PUBLIC COMMENT:**

**Time: 03:10:27**

*No additional public comments were offered beyond those made during specific agenda item discussions.*

**G. ADJOURNMENT:**

**Time: 03:10:48**

**Motion:** Councilmember Brown-Hicks moved to adjourn the meeting. **Second:** Councilmember Ritzert seconded the motion. **Vote:** Motion passed unanimously. *The meeting adjourned at approximately 1:11 PM.*

Minutes submitted by: Jeffery Coover, Administrative Support Specialist

Minutes generated by HeyGov.ai

Transcripts available by request

Minutes Approved By:

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*Tim Ritzert, Secretary*

Tax Parcel Nos. 3-35-4.20-191.00  
*PREPARED BY AND RETURN TO:*  
 Brockstedt Mandalas Federico LLC  
 1413 Savannah Road, Suite 1  
 Lewes, Delaware 19958

**THIS CORRECTED AND AMENDED AGREEMENT OF LEASE** made this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2026, by and between **THE CITY OF LEWES**, a municipal corporation of the State of Delaware, successor to Commissioners of Lewes, with a mailing address of P.O. Box 227, Lewes, Delaware 19958, party of the first part,

-and-

**ALIYE ZEKAI SANOU AND IBRAHIM SANOU**, wife and husband, of 1519 Bay Ave., Lewes, Delaware 19958, (the "Lessees"), party of the second part.

**WITNESSETH:**

**WHEREAS**, Commissioners of Lewes, predecessor to The City of Lewes, did demise and lease a leasehold interest in certain lands by the following Indentures:

By Indenture dated July 26, 1946, to Frances F. Deakin, etux, of record in Deed Book 364, Page 190;

By Indenture dated February 23, 2950, to Daniel Murphy, of record in Deed Book 392, Page 455; and

By Indenture dated September 4, 1950, to Junius A. Giles, Jr., etux, of record in Deed Book 403, Page 155,

and such lands which make up part of the subject leasehold further described as: ALL that certain lot, piece and parcel of land, situate, lying and being in Sussex County and State of Delaware, and located on the beach fronting said City of Lewes on the East and Northeast and being the rear sixty (60) feet of Lots Number 5-7 and 7-9, Block A-A, and being more particularly bounded and described as follows, to wit:

**BEGINNING** at a pipe being located on the Southwestern right-of-way of a 12 foot wide alley widened to 32 feet wide and now known as Bayview Avenue; said pipe also being located at the corner of an unnamed 12 foot wide alley; thence turning and running by and along the common boundary line between this lot and the unnamed 12 foot wide alley, South 32 degrees 37 minutes West, 120.00 feet to a pipe; thence turning and running North 57 degrees 33 minutes West, 60.00 feet to a pipe; thence turning and running North 32 degrees 37 minutes East, 120.00 feet to a pipe; thence turning and running by and along Bayview Avenue, South 57 degrees 23 minutes East 60.00 feet home to the place of Beginning and improved with a one and one-half story frame dwelling and garage, as surveyed by Wingate & Eschenbach, Registered Surveyor, on June 29, 1981. Note: Bayview Avenue is also known as Bay Avenue.

**WHEREAS**, there have been numerous assignments of the Leases through the years; and

**WHEREAS**, Lessees currently hold the Lease pursuant to an Assignment dated July 2, 2020 and recorded in the Office of the Recorder of Deeds, Georgetown, Delaware, in Deed Book 5273, Page 24; and

**WHEREAS**, the City of Lewes entered into a Corrected and Amended Agreement of Lease on January 24, 2000, with the prior owners of parcel 335-4.15-39 to consolidate two leases such that the parcel has two leases both being of the same date such adjacent lands being part of the original indentures from the Commissioners of Lewes; and

**WHEREAS**, pursuant to that same Corrected and Amended Agreement of Lease on January 24, 2000, such two original leases dated July 26, 1946 and September 4, 1950 were mutually amended and agreed that the term of such consolidated lease for that parcel commenced on September 4, 1950 and terminated on September 3, 2049 unless otherwise extended for another ninety-nine (99) years; and

**WHEREAS**, the above mentioned Indenture dated February 23, 1950, was included in error to the chain of title for parcel 3-35-4.20-191.00.

**WHEREAS**, the Sanou's have requested a corrected and amended lease correcting the error and consolidating the leases to be issued so that the term is the same for the parcel.

**NOW THEREFORE**, in consideration of the mutual covenants hereinafter expressed, the parties hereto agree as follows;

1. Lessor hereby leases to Lessee and Lessee hereby leases from Lessor:

ALL that certain lot, piece and parcel of land, situate, lying and being in Sussex County and State of Delaware, and located on the beach fronting said City of Lewes on the East and Northeast and being the rear sixty (60) feet of Lots Number 5-7 and 7-9, Block A-A, and being more particularly bounded and described as follows, to wit:

**BEGINNING** at a pipe being located on the Southwestern right-of-way of a 12 foot wide alley widened to 32 feet wide and now known as Bayview Avenue; said pipe also being located at the corner of an unnamed 12 foot wide alley; thence turning and running by and along the common boundary line between this lot and the unnamed 12 foot wide alley, South 32 degrees 37 minutes West, 120.00 feet to a pipe; thence turning and running North 57 degrees 33 minutes West, 60.00 feet to a pipe; thence turning and running North 32 degrees 37 minutes East, 120.00 feet to a pipe; thence turning and running by and along Bayview Avenue, South 57 degrees 23 minutes East 60.00 feet home to the place of Beginning and improved with a one and one-half story frame dwelling and garage, as surveyed by Wingate & Eschenbach, Registered Surveyor, on June 29, 1981. Note: Bayview Avenue is also known as Bay Avenue.

2. It is mutually agreed by the parties hereto that the term of this lease shall be for a term of ninety-nine (99) years, commencing on September 4, 1950 terminating on September 3 2049 provided, however, that this lease may be renewed at the option of the Lessee for a further period of ninety-nine (99) years which option, if exercised, must be exercised by an Application in writing to the City Council of the City of Lewes, and if so exercised shall convey to the Lessee for a further term of ninety-nine (99) years the right of possession of the premises herein described.

3. It is mutually agreed by the parties hereto that this Extension of Indenture shall become null and void if the party of the second part does not observe, comply with and conform to the terms of the said Indenture, as aforesaid.

4. The parties hereto hereby mutually agree that, except as amended and revised herein, all other terms and conditions of the Leases dated July 26, 1946 and September 4, 1950, of record in the Office of the Recorder of Deeds in and for Sussex County, are hereby ratified, confirmed and incorporated herein by reference as though fully set forth herein.

5. It is mutually agreed by the parties hereto that the terms of the Extension of Indenture shall be binding not only upon the parties hereto, but also upon their respective heirs, executors, administrators, successors and assigns.

**IN WITNESS WHEREOF**, the party of the first part has caused this Extension of Indenture to be executed by its proper corporate officers and its corporate seal to be hereunto affixed, and the party of the second has herewith set their hands, the day and year first above written.

*[SIGNATURE PAGE TO FOLLOW]*

**THE CITY OF LEWES:**

**BY:** \_\_\_\_\_  
City Manager Ellen Lorraine McCabe

**Attest:** \_\_\_\_\_  
Secretary

STATE OF DELAWARE            )  
                                          )    ss.

COUNTY OF SUSSEX )

**BE IT REMEMBERED**, that on this \_\_\_\_ day of \_\_\_\_\_, A.D. 2026, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, **ELLEN LORRAINE MCCABE**, City Manager of The City of Lewes, a municipal corporation of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed, and the act and the deed of the said municipal corporation; that the signature of the City Manager is in her own proper handwriting; that the seal affixed is the common and corporate seal of the said municipal corporation duly affixed by its authority; and that the act of signing, sealing, acknowledging and delivering the said Indenture was first duly authorized by resolution of the City Council of the said municipal corporation.

GIVEN under my Hand and Seal of Office, the day and year aforesaid.

\_\_\_\_\_  
Public

Notary

\_\_\_\_\_  
Print or Type Name of Notary

My Commission Expires: \_\_\_\_\_

**LESSEES:**

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Aliye Zekai Sanou (SEAL)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Ibrahim Sanou (SEAL)



Tax Parcel Nos. 3-35-4.20-191.00  
*PREPARED BY AND RETURN TO:*  
 Brockstedt Mandalas Federico LLC  
 1413 Savannah Road, Suite 1  
 Lewes, Delaware 19958

**THIS EXTENSION TO AN INDENTURE** made this \_\_\_\_ day of \_\_\_\_\_, A.D. 2026, by and between **THE CITY OF LEWES**, a municipal corporation of the State of Delaware, successor to Commissioners of Lewes, with a mailing address of P.O. Box 227, Lewes, Delaware 19958, party of the first part,

-and-

**ALIYE ZEKAI SANOU AND IBRAHIM SANOU**, wife and husband, of 1519 Bay Ave., Lewes, Delaware 19958, (the "Lessees"), party of the second part.

**WITNESSETH:**

**WHEREAS**, Commissioners of Lewes, predecessor to The City of Lewes, did demise and lease a leasehold interest in certain lands by the following Indentures:

By Indenture dated July 26, 1946, to Frances F. Deakin, etux, of record in Deed Book 364, Page 190;

By Indenture dated February 23, 1950, to Daniel Murphy, of record in Deed Book 392, Page 455; and

By Indenture dated September 4, 1950, to Junius A. Giles, Jr., etux, of record in Deed Book 403, Page 155,

and such lands which make up part of the subject leasehold further described as: ALL that certain lot, piece and parcel of land, situate, lying and being in Sussex County and State of Delaware, and located on the beach fronting said City of Lewes on the East and Northeast and being the rear sixty (60) feet of Lots Number 5-7 and 7-9, Block A-A, and being more particularly bounded and described as follows, to wit:

**BEGINNING** at a pipe being located on the Southwestern right-of-way of a 12 foot wide alley widened to 32 feet wide and now known as Bayview Avenue; said pipe also being located at the corner of an unnamed 12 foot wide alley; thence turning and running by and along the common boundary line between this lot and the unnamed 12 foot wide alley, South 32 degrees 37 minutes West, 120.00 feet to a pipe; thence turning and running North 57 degrees 33 minutes West, 60.00 feet to a pipe; thence turning and running North 32 degrees 37 minutes East, 120.00 feet to a pipe; thence turning and running by and along Bayview Avenue, South 57 degrees 23 minutes East 60.00 feet home to the place of Beginning and improved with a one and one-half story frame dwelling and garage, as surveyed by Wingate & Eschenbach, Registered Surveyor, on June 29, 1981. Note: Bayview Avenue is also known as Bay Avenue.

**WHEREAS**, there have been numerous assignments of the Leases through the years; and

**WHEREAS**, Lessees currently hold the Lease pursuant to an Assignment dated July 2, 2020 and recorded in the Office of the Recorder of Deeds, Georgetown, Delaware, in Deed Book 5273, Page 24; and

**WHEREAS**, the above-mentioned Indentures dated: July 26, 1946, September 4, 1950, and February 23, 1950, originally provided an option to extend the lease under certain conditions for an additional ninety-nine (99) years, and

**WHEREAS**, the abovementioned Indenture dated February 23, 1950, was included in error to the chain of title for parcel 3-35-4.20-191.00 ; and

**WHEREAS**, the City of Lewes entered into a Corrected and Amended Agreement of Lease on January 24, 2000, with the prior owners of parcel 335-4.15-39 to consolidate two leases such that the parcel has two leases both being of the same date, such leases being the above-mentioned indentures dates July 26, 1946 and September 4, 1950, such adjacent lands being part of the original indentures from the Commissioners of Lewes; and

**WHEREAS**, pursuant to that same Corrected and Amended Agreement of Lease on January 24, 2000, such two original leases dated July 26, 1946, and September 4, 1950 were mutually amended and agreed that the term of such consolidated lease for that parcel commenced on September 4, 1950 and terminated on September 3, 2049; and

**WHEREAS**, The City of Lewes, by a Corrected and Amended Agreement of Lease dated the \_\_\_\_\_ day of \_\_\_\_\_, 2026 consolidated the above-mentioned Indentures dated July 26, 1946, and September 4, 1950, so the term of the lease is the same for parcel 3-35-4.20-191.00 (commencing September 3, 1950 and termination on September 3, 2049)

**WHEREAS**, such Corrected and Amended Agreement of Lease dated the \_\_\_\_\_ day of \_\_\_\_\_ 2026, provided for an extension of the Lease under certain conditions: and

**WHEREAS**, the party of the second part has advised the party of the first part that they wish to extend the said lease, set to terminate on September 3, 2049, and desires to extend the Lease for an additional term of ninety-nine (99) years; and

**NOW THEREFORE**, in consideration of the mutual covenants hereinafter expressed, the parties hereto agree as follows;

1. The party of the first part does hereby extend the Indenture for parts of Lots 5-7 and 7-9, Section AA, Lewes Beach, also known as 1519 Bay Ave, for an additional ninety-nine (99) years, commencing September 3, 2049, and expiring September 3, 2148.

2. It is mutually agreed by the parties hereto that except as amended and revised herein, all other terms and conditions of the said Indentures dated, July 26, 1946, of record in the

Office of the Recorder of Deeds, in and for Sussex County, in Deed Book 364, Page 190 and dated September 4, 1950 of record in the Office of the Recorder of Deeds, in and for Sussex County in Deed Book 403, Page 155; are hereby ratified, confirmed and incorporated herein by reference as though fully set out.

3. It is mutually agreed by the parties hereto that this Extension of Indenture shall become null and void if the party of the second part does not observe, comply with and conform to the terms of the said Indenture, as aforesaid.

4. It is mutually agreed by the parties hereto that the terms of the Extension of Indenture shall be binding not only upon the parties hereto, but also upon their respective heirs, executors, administrators, successors and assigns.

**IN WITNESS WHEREOF**, the party of the first part has caused this Extension of Indenture to be executed by its proper corporate officers and its corporate seal to be hereunto affixed, and the party of the second has herewith set their hands, the day and year first above written.

*[SIGNATURE PAGE TO FOLLOW]*

**THE CITY OF LEWES:**

**BY:** \_\_\_\_\_  
City Manager Ellen Lorraine McCabe

**Attest:** \_\_\_\_\_  
Secretary

STATE OF DELAWARE            )  
                                          )  
COUNTY OF SUSSEX         )    ss.

**BE IT REMEMBERED**, that on this \_\_\_\_ day of \_\_\_\_\_, A.D. 2026, personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, **ELLEN LORRAINE MCCABE**, City Manager of The City of Lewes, a municipal corporation of the State of Delaware, party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be her act and deed, and the act and the deed of the said municipal corporation; that the signature of the City Manager is in her own proper handwriting; that the seal affixed is the common and corporate seal of the said municipal corporation duly affixed by its authority;



Indenture, known to me personally to be such, and acknowledged this Indenture to be their act and deed.

**GIVEN** under my Hand and Seal of Office, the day and year aforesaid.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Print or Type Name of Notary

My Commission Expires: \_\_\_\_\_

# Request for 99-Year Lease Extension

1519 Bay Avenue, Lewes, Delaware 19958

October 13, 2025

City Manager  
City of Lewes  
PO Box 227  
Lewes, DE 19958

Re: 1519 Bay Avenue, Lewes DE 19958 Tax Parcel ID: 335-4.15-38.00

Dear City Manager,

We are writing to formally request an extension of the lease for the property located at 1519 Bay Avenue, Lewes, Delaware. As the current lessees, we would like to extend the existing lease agreement for an additional term of ninety-nine (99) years.

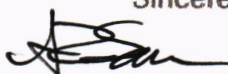
This property has been maintained with great care and has contributed positively to the community over the years. Extending the lease will allow for continued responsible stewardship and long-term planning for improvements and enhancements to the site.

Please find enclosed with this request the following as required by the City Clerk:

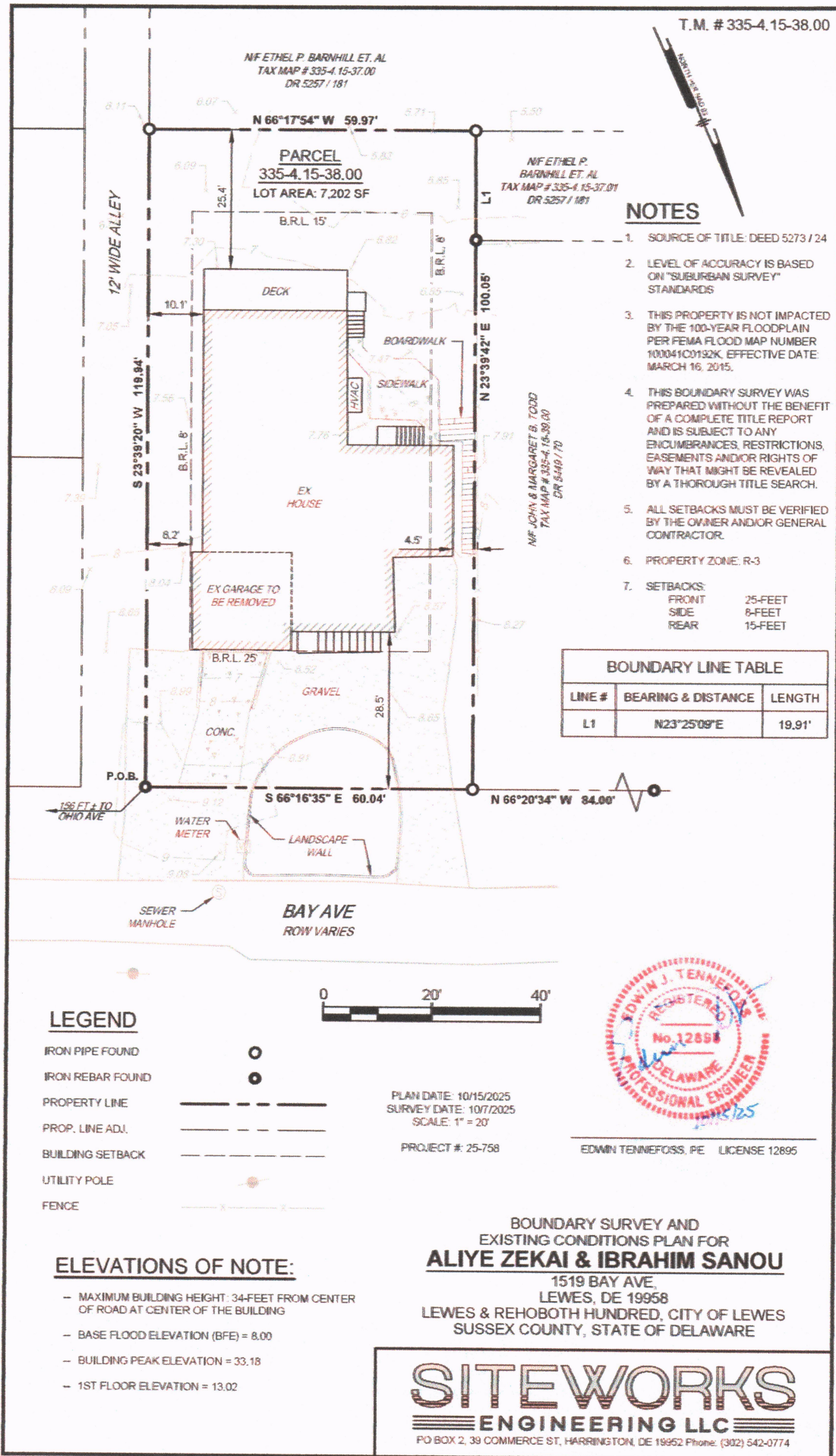
- 1) Property Survey for 1519 Bay Avenue completed in 2019
- 2) A check for the amount of \$350.00
- 3) The original lease assignment for 1519 Bay Avenue Tax Parcel ID: 335-4.15-38.00

Thank you for considering our application. We look forward to your response and are available at your convenience to discuss any details or requirements pertaining to the lease extension.

Sincerely,



Aliye and Ibrahim Sanou  
200 Sinclair Street, Norfolk, VA 23505  
(917) 414 4105 and (917) 414 4105  
Email: [ibsanou@gmail.com](mailto:ibsanou@gmail.com) and [aliyebill@yahoo.com](mailto:aliyebill@yahoo.com)



T.M. # 335-4.15-38.00

N/F ETHEL P. BARNHILL ET. AL  
TAX MAP # 335-4.15-37.00  
DR 5257 / 181

**PARCEL**  
**335-4.15-38.00**  
LOT AREA: 7,202 SF

N/F ETHEL P. BARNHILL ET. AL  
TAX MAP # 335-4.15-37.01  
DR 5257 / 181

**NOTES**

1. SOURCE OF TITLE: DEED 5273 / 24
2. LEVEL OF ACCURACY IS BASED ON "SUBURBAN SURVEY" STANDARDS
3. THIS PROPERTY IS NOT IMPACTED BY THE 100-YEAR FLOODPLAIN PER FEMA FLOOD MAP NUMBER 100041C0132K, EFFECTIVE DATE MARCH 16, 2015.
4. THIS BOUNDARY SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND IS SUBJECT TO ANY ENCUMBRANCES, RESTRICTIONS, EASEMENTS AND/OR RIGHTS OF WAY THAT MIGHT BE REVEALED BY A THOROUGH TITLE SEARCH.
5. ALL SETBACKS MUST BE VERIFIED BY THE OWNER AND/OR GENERAL CONTRACTOR.
6. PROPERTY ZONE: R-3
7. SETBACKS:  
FRONT 25-FEET  
SIDE 8-FEET  
REAR 15-FEET

**BOUNDARY LINE TABLE**

LINE #	BEARING & DISTANCE	LENGTH
L1	N23°25'09"E	19.91'



**LEGEND**

- IRON PIPE FOUND
- IRON REBAR FOUND
- PROPERTY LINE
- PROP. LINE ADJ.
- BUILDING SETBACK
- UTILITY POLE
- FENCE



PLAN DATE: 10/15/2025  
SURVEY DATE: 10/7/2025  
SCALE: 1" = 20'

PROJECT #: 25-758

EDWIN TENNEFOSS, PE LICENSE 12895

**ELEVATIONS OF NOTE:**

- MAXIMUM BUILDING HEIGHT: 34-FEET FROM CENTER OF ROAD AT CENTER OF THE BUILDING
- BASE FLOOD ELEVATION (BFE) = 8.00
- BUILDING PEAK ELEVATION = 33.18
- 1ST FLOOR ELEVATION = 13.02

**BOUNDARY SURVEY AND EXISTING CONDITIONS PLAN FOR ALIYE ZEKAI & IBRAHIM SANOU**

1519 BAY AVE,  
LEWES, DE 19958  
LEWES & REHOBOTH HUNDRED, CITY OF LEWES  
SUSSEX COUNTY, STATE OF DELAWARE

**SITWORKS ENGINEERING LLC**

PO BOX 2, 39 COMMERCE ST, HARRINGTON, DE 19952 Phone: (302) 542-0774





November 03, 2025 1:17 PM



**The City of Lewes**  
The First Town In The First State

# CITY MANAGEMENT REPORT

**MAYOR AND CITY COUNCIL  
REGULAR MEETING  
May 19, 2026**




# City Events

LEWES AFRICAN AMERICAN HERITAGE COMMISSION

City of *Lewes* DELAWARE

### Interpretive Sign Unveiling

Join the City of Lewes African American Heritage Commission as we unveil the new interpretive sign for Johnnie Walker Beach



**Johnnie Walker Beach**  
1 Georgia Avenue, Lewes, DE 19958  
Saturday, May 30, 2026  
10:00 AM

Register Here



**DE250**  
1776 - 2026



# Once IN A BLUE MOON

*Reliving the Days* OF THE HAPPY DAY CLUB

FEATURING  
**CHRISTY TAYLOR**  
MUSIC  
BLUES & MOTOWN  
& MORE

SATURDAY  
MAY 30, 2026  
6-10PM

\$75 PP  
INCLUDES  
FOOD STATIONS &  
1 DRINK VOUCHER

AMERICAN LEGION POST 17  
115 AMERICAN LEGION RD.  
LEWES, DE

WE INVITE YOU TO WEAR  
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OF BLUE

FOR MORE INFORMATION  
SMITH@HORIZONPHILANTHROPIC.COM  
OR 302.644.0107

CELEBRATING  
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Lewes  
2026  
AMERICA 250  
USA

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TO PURCHASE  
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LEWES250.COM

# City Events

LIVE MUSIC  
STORYTELLING  
VENDORS  
SPOKEN WORD  
KID ZONE

LEWES AFRICAN AMERICAN HERITAGE COMMISSION



DJ  
DANCERS  
FOOD TRUCKS  
LEWES HISTORY TABLES  
AND MORE

## 5<sup>th</sup> ANNUAL JUNETEENTH CELEBRATION

MARK YOUR CALENDAR!

SATURDAY, JUNE 27, 2026  
1 PM - 6 PM

GEORGE H.P. SMITH PARK  
JOHNSON & DUPONT AVE.  
LEWES, DE 19958

INCLEMENT WEATHER LOCATION: FREDERICK D. THOMAS MIDDLE SCHOOL, 910 SUSSEX DR, LEWES, DE 19958

A COMMUNITY-WIDE FAMILY FRIENDLY EVENT  
NO ENTRY OR VENDOR FEES  
DONATIONS AND SPONSORSHIPS WELCOME

INTERESTED IN BEING A VENDOR?  
REGISTER HERE!



FOR MORE INFORMATION CONTACT:  
MICKEYA LINZIE  
LAAHC@CI.LEWES.DE.US



LEWES AFRICAN AMERICAN  
HERITAGE COMMISSION

## 5<sup>th</sup> ANNUAL JUNETEENTH CELEBRATION

SATURDAY  
JUNE 27, 2026

1PM-6PM

GEORGE H.P. SMITH PARK  
JOHNSON & DUPONT AVE.  
LEWES, DE 19958

A FREE COMMUNITY-WIDE FAMILY FRIENDLY EVENT

FEATURING



SMOOTH AFRICAN BEATS  
ABDOU MBOUP



SOUL STIRRING PRAISE  
DONALD "SCOOBY" WALKER



SOUL SOUNDS X SVNTH  
TARRAYE STURGIS



SIGNATURE D.C. GO-GO  
POSITIVE VYBEZ BAND

Enjoy:

- LIVE MUSIC
- STORYTELLING
- SPOKEN WORD
- DANCERS

Family Fun:

- KID ZONE
- VENDORS
- FOOD TRUCKS
- LEWES BLACK HISTORY TABLES & MORE!

DELAWARE'S OWN  
DJ BIG L



# Summer Concert Series

The City of Lewes 2026 Summer Concert Series is proud to be part of the America 250 celebration!

The concerts take place on an open-air stage at Stango Park with the rain location at the Cape Henlopen High School. Changes to the schedule and any cancellations due to inclement weather will be posted on the City of Lewes Facebook Page and sent out via email blast.

The concerts are free to the public and family friendly. We encourage you to bring a chair or blanket, snacks, drinks, and of course, your love of music. Sign up for event reminders at: [www.ci.lewes.de.us/list.aspx](http://www.ci.lewes.de.us/list.aspx) Under **Calendar**, select "Summer Concert Series"

Events are from 7:00 p.m. to 8:30 p.m.  
See you in June!

Date	Group	Genre(s)
June 2, 2026 <b>*No Rain Location</b>	Rehoboth Concert Band	Americana Concert Band
Jun 9, 2026	Fun Size	Rock, Soul, and R&B
Jun 16, 2026	Big Band Sound Concert	Big Band Music
Jun 23, 2026	Johnny Gio and the Neo Trio	Rock and Soul
June 26, 2026 <b>*Friday *No Rain Location</b>	287th Army Band <b>*Sons of the American Revolution (SAR) will be in attendance for flag collection</b>	Military Band
Jun 30, 2026	Mark Taylor	Country



# Train Day

Engine 60 was dedicated on Train Day, May 9, 2026. The engine is the final part of a three-piece train located in Stango Park.



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# Lewes250 Events

Join us as Lewes commemorates America's 250th anniversary with a yearlong series of events honoring our town's rich past and bright future. From parades and art exhibits to concerts, lectures, and community gatherings, Lewes 250 brings neighbors, visitors, and local organizations together in celebration of the "First Town in the First State."

Explore the Lewes250 calendar by visiting <https://www.lewes250.com/event-calendar> to discover upcoming events, and be part of the story as we mark this once-in-a-lifetime milestone for Lewes and our nation.



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# 2026 MUNICIPAL ELECTION

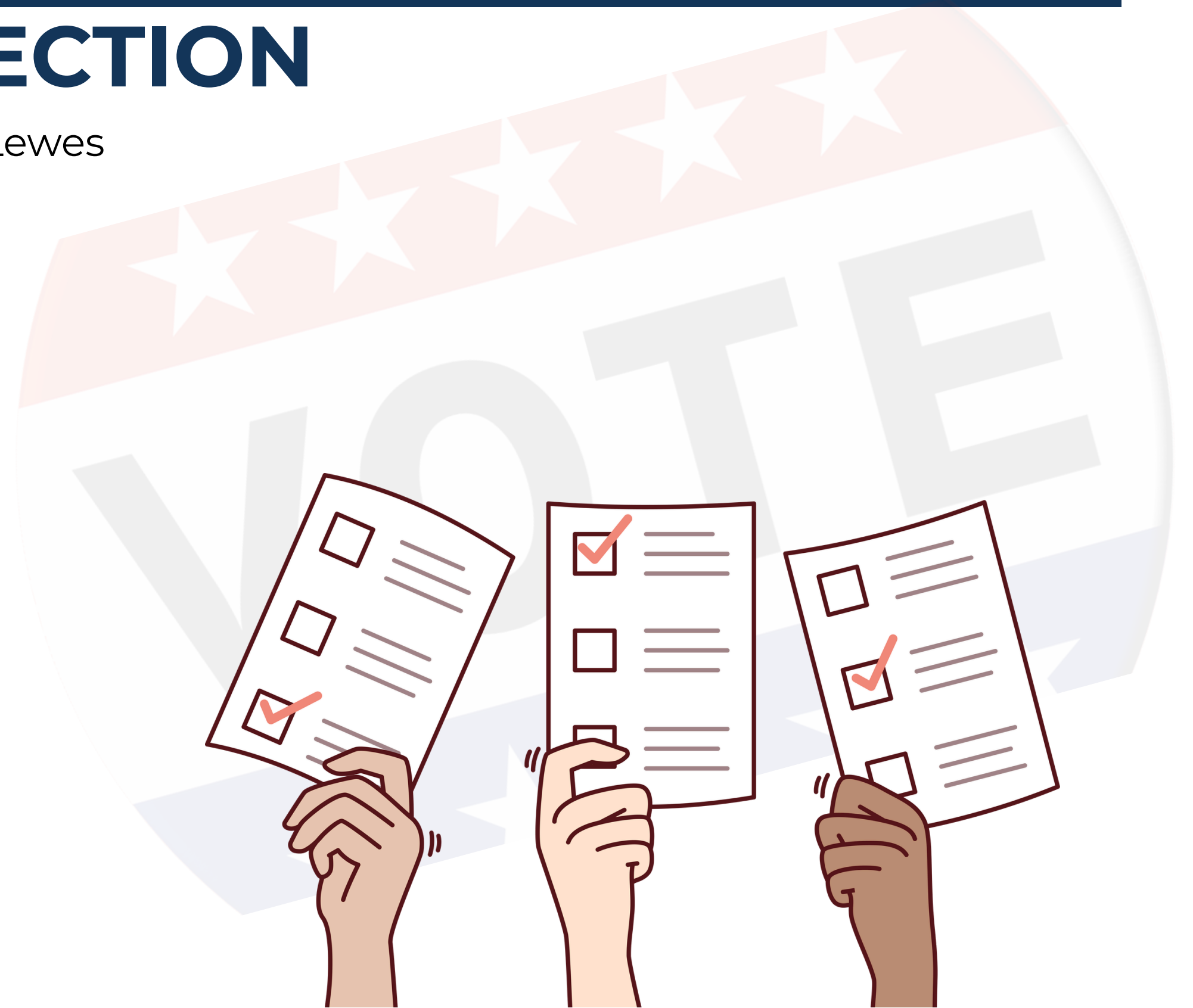
The annual Municipal Election for the City of Lewes was held on Saturday May 9th, 2026.

The Lewes Board of Elections executed the Certificate of Election with results as follows:

- Total # of In-Person Votes: 632
- Total # of Absentee Ballots Received: 116
- Total # of Ballots Cast: 748

For the Office of City Council Member, Votes Received were as follows:

- Joe Elder: 427
- Kevin G. Keane 392
- Timothy A. Ritzert: 460



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# Work Anniversaries



Kenny Morris  
Maintenance - Foreman  
12 years  
5/27/2014



Phil Poorman  
Officer - Patrolman First Class  
3 years  
5/15/2023

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# Work Anniversaries



Kit Lourens  
Parks & Marina Specialist /  
Dockmaster  
1 year  
May 1, 2025



Strohm Edwards  
Parks & Marina Specialist  
1 year  
5/19/2025



Siobhan Cooke  
Officer - Patrolman First Class  
1 Year  
5/24/2025

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# Seasonal Staff

**A WARM WELCOME TO OUR 2026 SEASONAL STAFF!!**

## **Beach Patrol**

Kayla Brady  
Levi Corcoran  
Jaxen Edwards  
Luke Edwards  
Connor Evans  
Jackson Hagy  
Marlise Harris  
Landon Hudson  
Braden Jones  
Trent Kauffman  
Eric Lewis  
Jacob Madden

Brady May  
Matthew McDonough  
Anna Mumford  
Cole Parker  
Haley Pickinpaugh  
Kagan Rogers  
Sadler Rogers  
Nathanael Taylor  
Cassidy Thomas  
Makenzie Todd  
Mark Woodard

## **Parking Ambassadors**

William Ash  
Robert Castellana  
Dennis Crawford  
Gary Eckenrode  
William Hall-McBride  
Susan Hennessey  
Bruce Herbert  
Kenneth Pileggi

## **Marina**

Ben Koly

## **Maintenance**

Kazuki Carroll  
Kenny Hernandez  
Joseph Jimenez  
Joseph Johnson Jr  
Joshua Melendez  
Thomas Reeves

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# Hiring

## **Planning Department - City Planning Director**

The City of Lewes is seeking a knowledgeable, collaborative, and community-focused City Planning Director to join our team. This position plays a key role in shaping Lewes' future growth, ensuring responsible development, and supporting long-range planning initiatives that preserve the unique character of our community.

## **Police Department - Certified Police Officer**

The City of Lewes is hiring a Certified Police Officer. All candidates must be U.S. citizens and at least 21 years old by the time they complete the academy. Candidates must pass medical and psychological evaluations to ensure they are fit for duty. [Click here for more information.](#)

The City of Lewes is an Equal Opportunity Employer. All applicants will receive consideration without regard to race, creed, color, gender, age, religion, national origin, veteran or handicap status, sexual orientation, marital status, political affiliation, or any other non-merit factor.

Each job requires a separate application. You may obtain an Employment Application Form by contacting Lewes City Hall at 302-645-7777 or by printing a copy of the [Employment Application Form](#). Your completed Employment Application Form may be submitted electronically to [hr@ci.lewes.de.us](mailto:hr@ci.lewes.de.us). You can also apply online by filling out the [Online Employment Application Form](#).

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# Committee Vacancies

## Historic Preservation Architectural Review Commission (HPARC) - 1 Seat

**First Thursday of the Month at 6:00 PM**

**The open seat must be filled by resident of the Historic District, per HPARC's regulations.**

The goal of the HPARC is to encourage historical preservation, without discouraging creativity or growth, in keeping with the City's Core Values. Approval by the HPARC is required for, but not limited to, any work that alters the exterior facade of a structure visible from the public right of way.

## Lewes Bicycle & Pedestrian Advisory Committee (BPAC) - 1 Seat

**Fourth Tuesday of the Month at 5:30 PM**

The Lewes Bicycle & Pedestrian Committee, appointed by the Mayor & City Council, is working towards meeting the goals of the Lewes Bicycle & Pedestrian Plan adopted and approved by Lewes City Council. They welcome your concerns and suggestions about any bicycling and pedestrian concerns that you believe may need attention.

## Lewes Planning Commission (LPC) - 1 Seat

**Third Wednesday of the Month at 6:30 PM**

It is the responsibility of the Planning Commission to review and make recommendations to Mayor & City Council regarding land development, major & minor subdivision applications, amendments to the Zoning Ordinance and the updating of the Lewes Comprehensive Plan.

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# Committee Vacancies Cont'd

## Parks & Recreation Commission (PRC) - 4 Seats

**Third Monday of the Month at 5 PM**

The Parks & Recreation Commission has general responsibility for the park system, playgrounds, Savannah Beach and Jonnie Walker Beach, recreational activities, and the urban forest (including trees, shrubs, and plants). The commission has supervisory authority over the maintenance of all areas that fall under its responsibility.

## Public Art Committee (PAC) - 1 Seat

**Fourth Wednesday of the Month at 5:30 PM**

The mission of the Lewes Committee for Public Art is to integrate a wide range of quality art with public spaces in and around the City of Lewes. The Committee shall strive to elevate a sense of energy by encouraging work offered to challenge and stimulate local dialogue. The Committee shall promote visual arts to celebrate and/or frame spaces that are uniquely Lewes. Our mission shall be to raise the profile of Lewes as an arts destination.

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# Upcoming Meetings

## Mayor & City Council

Work Session on Wednesday, May 27, 2026, at 10:00 AM at the Bonnie Osler Meeting Room.

Public Hearing on Monday, June 1, 2026, at 5:30 PM at the Bonnie Osler Meeting Room.

Regular Meeting on Monday, June 8, 2026, at 5:30 PM at City Hall.

[Agendas are published seven days in advance of the scheduled meeting. Click here to view.](#)

## Board of Public Works

Regular BPW Meeting on Wednesday, May 27, 2026, at 4:00 PM at City Hall.

[Agendas are published seven days in advance of the scheduled meeting. Click here to view.](#)

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# Upcoming Closures

## **Memorial Day**

Lewes City Hall and the Board of Public Works are closed on Monday, May 25, 2026 and will reopen on Tuesday, May 26, 2026, at 8:00 AM.

## **Public Service Recognition Event - May 29, 2026**

In recognition of Public Service Recognition Week (May 4– May 10) the City of Lewes will be closing at 1:30 pm on Friday, May 29 for an employee team building event to recognize the hard work and dedication our staff demonstrate every day.

## **Juneteenth**

Lewes City Hall and the Board of Public Works are closed on Friday, June 19, 2026 and will reopen on Monday, June 22, 2026, at 8:00 AM.

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# Upcoming Meetings

## **Lewes Planning Commission**

Wednesday, May 20, 2026, at 6:30 PM, Bonnie Osler Meeting Room

## **Johnnie Walker Beach Subcommittee**

Thursday, May 21, 2026, at 5:00 PM, City Hall

## **Lewes African American Heritage Commission**

Thursday, May 21, 2026, at 6:00 PM, City Hall

## **Bicycle & Pedestrian Advisory Committee**

Tuesday, May 26, 2026, at 5:30 PM, City Hall

## **Public Art Committee**

Wednesday, May 27, 2026, at 5:30 PM, Bonnie Osler Meeting Room

## **Historic Preservation Architectural Review Commission**

Thursday, June 4, 2026, at 6:00 PM, Bonnie Osler Meeting Room

[Agendas are published seven days in advance of the scheduled meeting. Click here to view.](#)

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# City Service Updates

## Yard Waste

There are two remaining yard waste pickup dates scheduled for May.

- May 20, 2026
- May 27, 2026
  - [Click here to read more about yard waste pickup.](#)

## Bulk Trash

The next Bulk Trash Pickup is scheduled for **Wednesday, May 27<sup>th</sup>**. Cost for pickup is \$50. Residents must call or visit City Hall if they would like to participate, as this service is provided on a first come, first served basis. You can reach the City Hall office by phone at 302-645-7777.

**PLEASE NOTE: ITEMS SHOULD FIT WITHIN A 4'X4'X8' AREA.**

- [Click here to read more about bulk trash pickup.](#)

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# Grant Updates

## **FEMA's Building Resilient Infrastructure and Communities (BRIC) and Flood Mitigation Assistance (FMA)**

The City and BPW are working with their engineers to identify projects to be submitted to DEMA for potential funding.

City staff and BPW staff, along with GMB engineers, participated in a webinar with DEMA to learn about the new Notice of Funding Opportunities (NOFO) for the grants. The new Benefit Cost Analysis (BCA) eliminated certain projects and requires resolutions for support of all projects.

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# Cape Henlopen High School Job Fair

The City's Human Resources staff (Shelby Shockly and Shelby Hand) attended the Cape Henlopen High School job fair on Thursday, April 23, 2026.

This event was for high school juniors and seniors looking to enter the labor market.



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# New Road Farm Field Tree Planting

On May 11th and 12<sup>th</sup> a contractor hired by the Delaware State Forest Service planted 5,000 trees in the city owned farm field off New Road. The seedlings are protected with tubes that are 5 five feet high to keep deer and rabbit away. The tubes also condense moisture which helps the seedlings survive dry conditions. The roots were treated with a water-retaining material.

The area is supporting wildlife as many fox holes have been observed as well as turkey and red-tailed hawk.



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# Fire Department Updates

## Total Emergencies

- April 2026: 574
- Total for 2026: 2,551
- April 2025: 599

## Fire Alarms

- Total for 2026: 414
- Total for April 2026: 90
  - In City Limits: 21
  - Out of District:
    - Georgetown: 0
    - Indian River: 4
    - Milton: 5
    - Rehoboth Beach: 1
- Total for April 2025: 91

## Personnel

- Total Fire Sirens Activated: 10
- Total Number of Personnel Responding to Fire Alarms: 1,357
- Total Number of Personnel Responding to EMS Responses: 982

## EMS Responses

- Total for 2026: 2,137
- Total for April 2026: 484
  - In City Limits: 116
  - Out of District:
    - Georgetown: 0
    - Indian River: 5
    - Milton: 7
    - Rehoboth Beach: 7
- Total for April 2025: 508



# Police Department Updates



## March 2026 Statistical Review

- Complaints handled - 217
- Outside Agency Assists- 7 (6 DSP & 1 Medical)
- 7 Accidents - Property damage
- 194 Moving violations and warnings issued.
- 18 Parking Citations issued.
- 12 Business contacts and 133 property checks were made as well as 35 foot patrols during the month.

## 8 Adult Arrests and 1 juvenile arrest with 15 Charges, including:

- Breach of Release
- Possession of Marijuana
- DUI (2x)
- Fugitive
- Reckless Endangering
- Offensive Touching (6x)
- Disorderly Conduct
- Criminal Trespass
- Theft greater than \$1500.

## Training:

### PoliceOne Academy

Conflict Resolution Without Force: Problem-Solving Strategies  
De-escalation Before Use of Force: Techniques and Policies



## Lewes Little League Opening Ceremony

PFC Philip Poorman with the Lewes Police Department sponsored baseball team, and McGruff pictured on the Lewes Little League field

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# Police Department Updates Cont'd

## LES Fourth Grade Crime Lab

On 4/15, our officers, led by SRO Corporal Yatsko, staged a "crime scene" for the entire 4th Grade at LES. They were tasked with solving the mystery of the missing candy. The kids were split into groups and taught about fingerprinting, handwriting comparison, collecting shoeprint evidence, and finding evidence under UV light. After collecting all of the evidence, the students were tasked with narrowing their search down to one of the five suspects. At the end, the constable, Mr. Mark was found to be guilty and he led them to the stolen candy and it was shared.

LT Locklear, LT Azato, Detective Crapps, CPL Menoche, PFC Weir, and PTLM Hudson did an excellent job of representing Lewes Police Department as an organization and teaching the students about various investigative techniques.



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# Board of Public Works Updates

## Pump Station 17 & 34 Resiliency Upgrades

- GMB completing design of necessary upgrades to include removal of pump station 17.
- Working with Delaware Housing Authority on acquiring necessary easements for installing gravity sewer line.

## Elevated Water Storage Tank Project

- On-site structural work completed.
- Working on sand blasting and painting water tower.
- Scheduled project completion – September 2026.

## Capes Cove W/S Installation Project

- Connected water/sewer mains to existing infrastructure.
- Sewer main installation completed, installing off-site water main.
- Estimated project completion – July 2026.

## Upcoming Events

- Regular BPW Meeting – Wednesday, May 27<sup>th</sup> @ 4:00pm in Council Chambers



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# Board of Public Works Updates

## Combined City & BPW Projects

### 4<sup>th</sup> Street/Park Avenue W/S/SW/Streets Replacement Project

- GMB continuing to work with staff on project infrastructure design and layout.
- Supplemental funding application submission to state agencies which includes infrastructure work on additional streets in the Burton neighborhood. Water Infrastructure Advisory Council (WIAC) approved additional funding on March 25<sup>th</sup>.
- Estimated start date of project – November/December 2026.

### Hoornkill Avenue W/S/Streets Replacement Project

- GMB finalized design and prepared bid documents.
- State permits have been approved.
- Bid award granted by City and BPW on April 13<sup>th</sup> and April 22<sup>nd</sup>.
- Estimated start date of project – June/July 2026.



Electric, Water, and Sewer Utility

Refuse Tonnage	April 2026	2027 Fiscal YTD	April 2025	2026 Fiscal YTD
Recycling	26.40	26.40	36.65	36.65
Yard Waste	56.82	56.82	44.44	44.44
Beach Rake	17.03	17.03	14.94	14.94
Regular Trash	106.73	106.73	117.98	117.98

Parks & Marina Permits	April 2026	2027 Fiscal YTD	April 2025	2026 Fiscal YTD
Bonfires	9*	9	21	21
Net House Reservations	6	6	4	4
Outdoor Amplification	3	3	1	1
Park Use / Events	6	6	3	3
Races & Parades	5	5	4	4
Rollins Room & Patio Use	4	4	3	3
Weddings	0	0	1	1

Questions, Comments, and Concerns	April 2026	2026 Calendar YTD	April 2025	2025 Calendar YTD
Total Submissions	14	53	16	54
Most Utilized Form(s)	General (8)	General (14)	General (6)	General (14)
Average Response Time	~ 5 Days	~ 1 Day	~ 2 Days	~ 1 Day

\*April 2026 bonfire numbers were low due to beach closures for replenishment.

## **Building Official's Update – April 2026**

Date: May 14, 2026

### **I. Permitting Activity April**

- Number of Permit Applications Received:
- April 2026 – 94.
- April 2025 – 34.
- Permit Types: Residential – new construction(1), HVAC, sheds, repairs etc., several solar installations submitted this month.

### **II. Total construction costs:**

- April 2026 - \$60,058.
- April 2025 - \$55,113.

### **III. Permits Issued:**

- April 2026 – 75.
- April 2025 – 76
- Permit Processing Time: 10 - 15 business days.

### **IV. Inspections**

- Total Inspections Completed:
- April 2026 – 170
  - 12 Reinspections.
- April 2025 – 73
  - 26 Reinspections.

### **V. Code Enforcement**

- Code Complaints – Tall grass, contractors working on weekend, trees.
- Violations Issued - 14
- Business License verifications – 15, 8 working without a license
- Permit Checks – 41, violations - 5.

Common Issues: Unpermitted work.

### **IV. Rentals Short/Long Term**

- Short- Term Rental Units 282
- Added 4 short-term rentals in Last 30 days.
- Long – Term Rental Units - 93
- Percent complaint: 90%



# Mayor and City Council Public Hearing – W. Fourth Street and Park Avenue

May 19, 2026



## TYPICAL SECTION - 4<sup>TH</sup> STREET FROM MARKET TO SAVANNAH



### Notes:

- Back of sidewalk stays in the same location on the North side of the street
- Back of sidewalk moves 2.5ft back to create a planting strip at the Beebe parking lot
- New Marked 8ft wide parking spaces
- Marked parking spaces same as existing street 8ft wide. Four additional parking spaces are proposed.
- New required ADA parking space at the corner of Market Street and West 4<sup>th</sup> Street

	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	12 feet	11 feet
Sidewalk	4.5 - 5 feet	5 feet
Parking (marked)	15	17

## TYPICAL SECTION - 4<sup>TH</sup> STREET FROM PARK TO MARKET OPTION 1

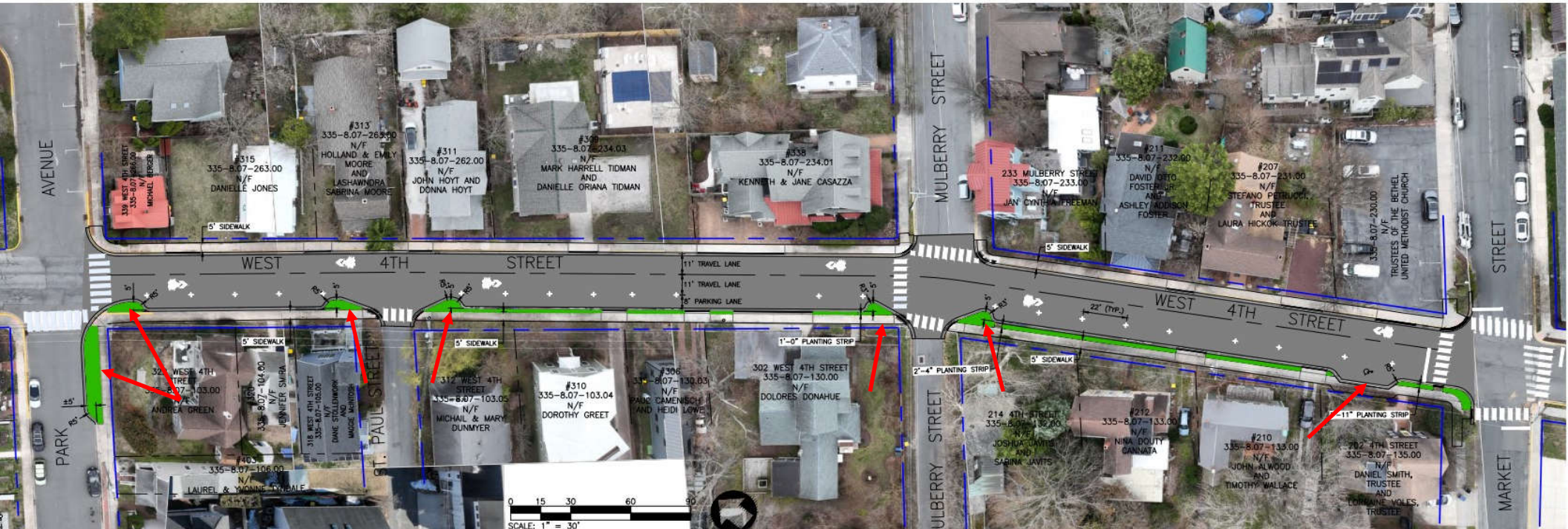


Notes:

- Back of sidewalk stays in the same location both sides of street
- New Marked 8ft wide parking spaces
- New required ADA parking space at the corner of Market Street and W.4<sup>th</sup> Street
- Proposed Bump Out at the West 4<sup>th</sup> Street Park Avenue intersection

	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	12 feet	11 feet
Sidewalk	4.25 - 5 feet	5 feet
Parking (marked)	N/A	15

## TYPICAL SECTION - 4<sup>TH</sup> STREET FROM PARK TO MARKET OPTION 2

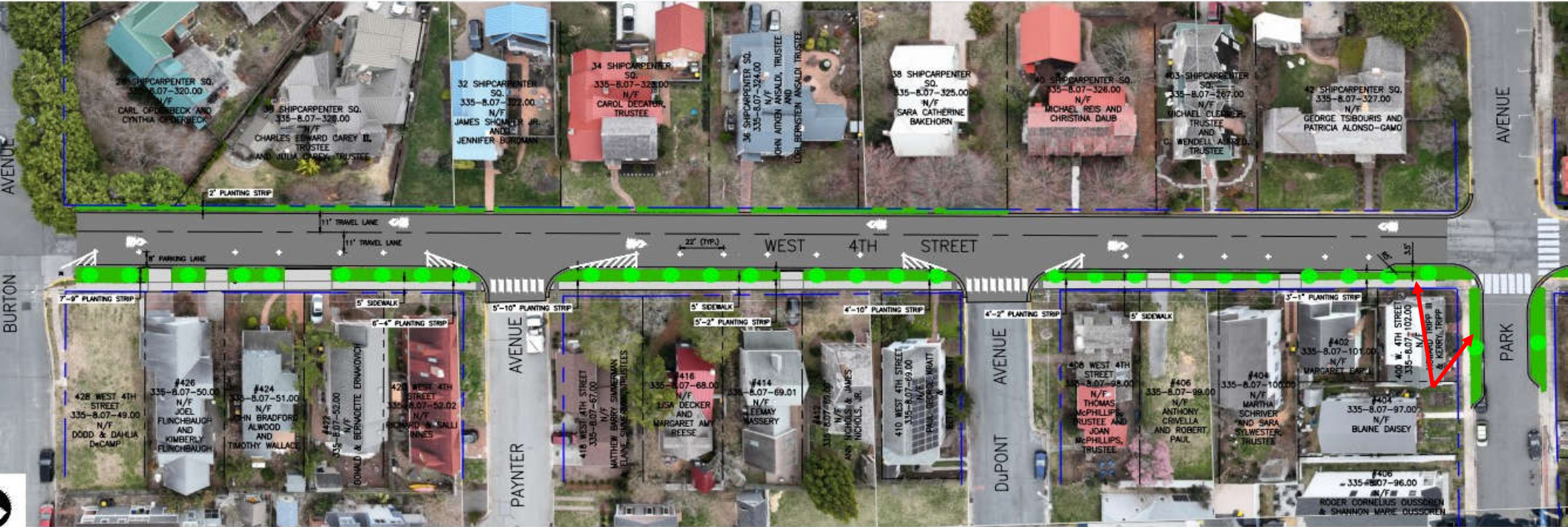


**Notes:**

- Back of sidewalk stays in the same location both sides of street
- New Marked 8ft wide parking spaces
- New required ADA parking space at the corner of Market Street and W.4<sup>th</sup> Street
- Proposed Bump Outs at West 4<sup>th</sup> Street intersections with Park Ave, St. Paul Street and Mulberry Street

	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	12 feet	11 feet
Sidewalk	4.25 - 5 feet	5 feet
Parking (marked)	N/A	15

## TYPICAL SECTION - 4<sup>TH</sup> STREET FROM BURTON TO PARK OPTION 1

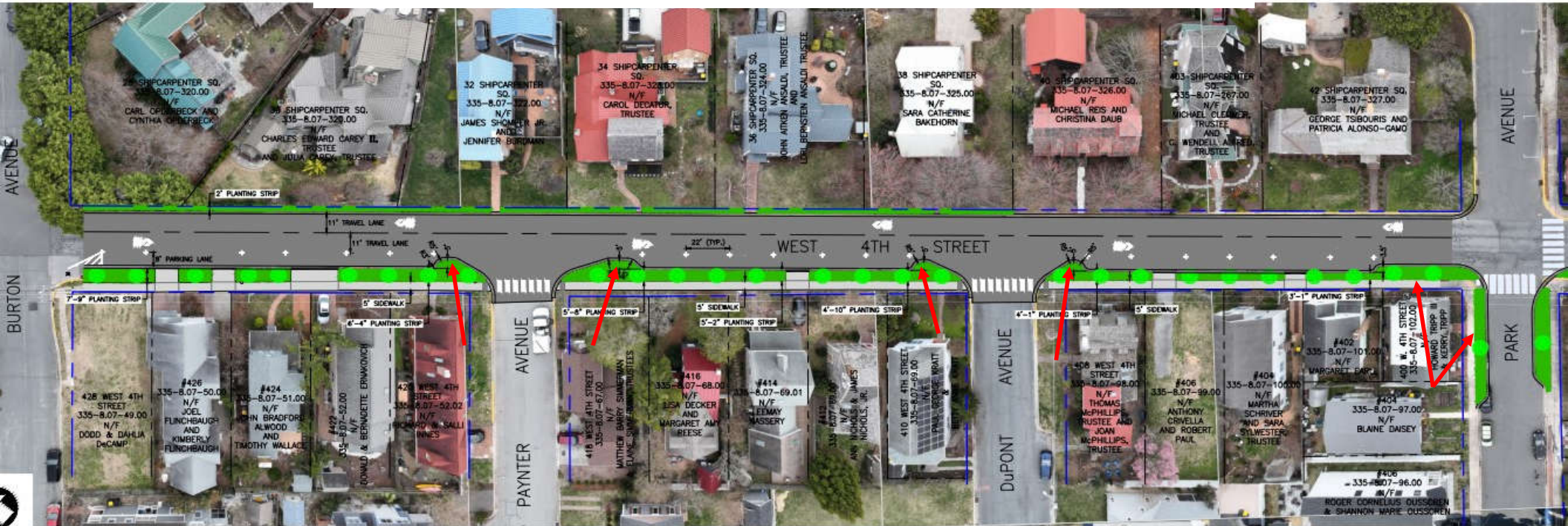


**Notes:**

- Back of sidewalk stays in the same location
- No sidewalk on the north side of the street
- New Marked 8ft wide parking spaces
- Proposed Bump Out at West 4<sup>th</sup> Street and Park Avenue intersection

	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	12 feet	11 feet
Sidewalk	4 - 5 feet	5 feet
Parking (marked)	N/A	13

## TYPICAL SECTION - 4<sup>TH</sup> STREET FROM BURTON TO PARK OPTION 2



### Notes:

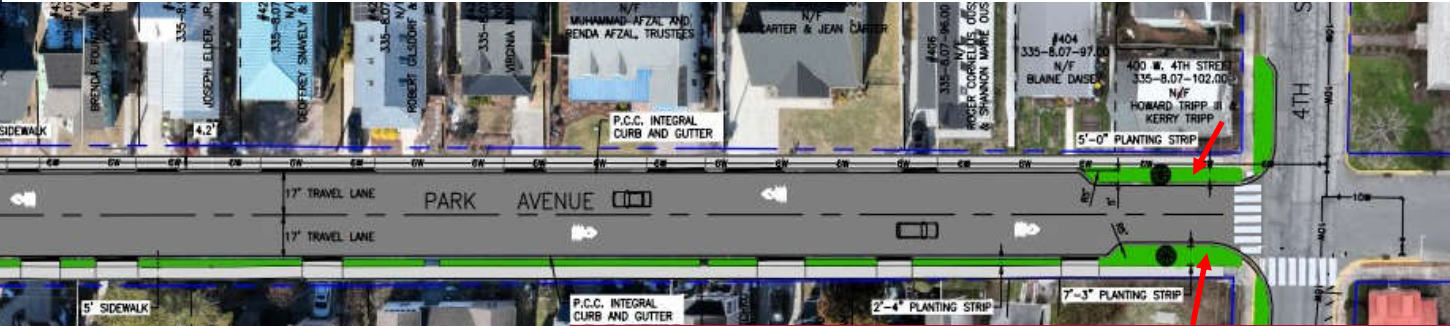
- Back of sidewalk stays in the same location
- No sidewalk on the north side of the street
- New Marked 8ft wide parking spaces
- Proposed Bump Outs at West 4<sup>th</sup> Street intersections with Paynter, Dupont, and Park Avenue

	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	12 feet	11 feet
Sidewalk	4 - 5 feet	5 feet
Parking (marked)	N/A	13

## TYPICAL SECTION - PARK AVENUE, OPTION 1



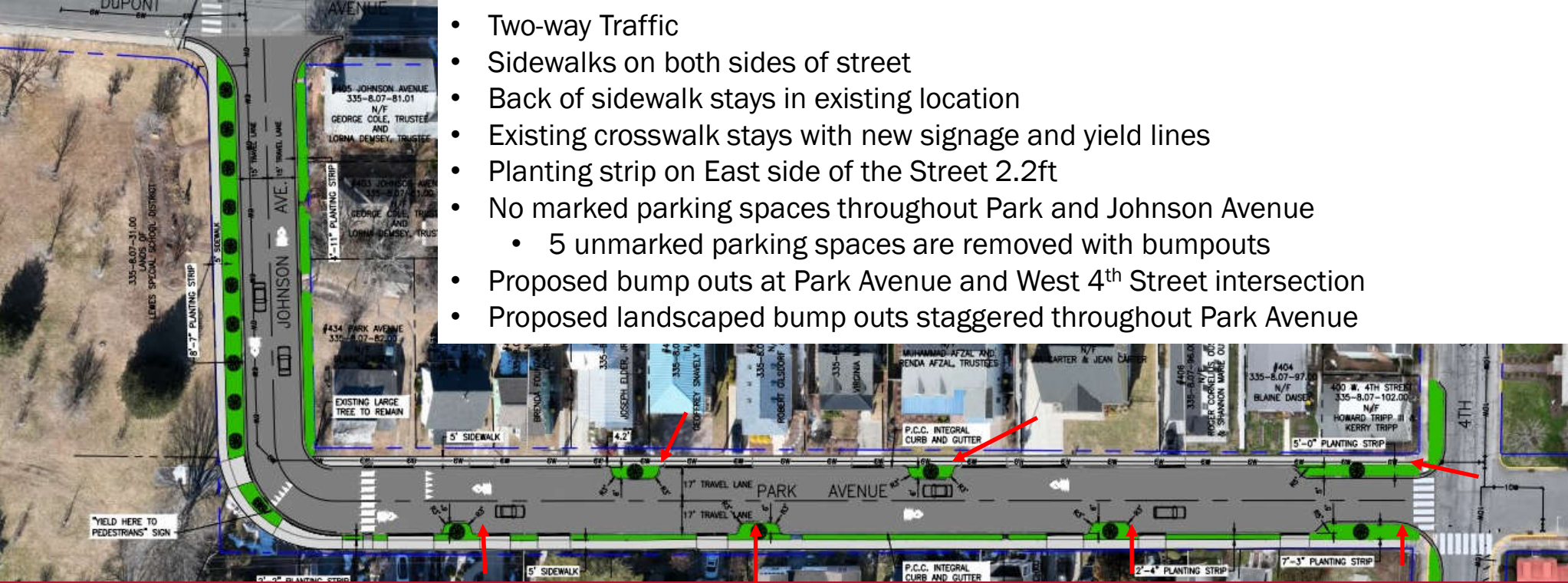
- Two-way Traffic
- Sidewalks on both sides of street
- Back of sidewalk stays in existing location
- Existing crosswalk stays with new signage and yield lines
- Planting strip on East side of the Street 2.2ft
- No marked parking spaces throughout Park and Johnson Avenue
- Proposed bump outs at Park Avenue and West 4<sup>th</sup> Street intersection



	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	16 feet	17 feet
Sidewalk	4.25 - 5 feet	5 feet

## TYPICAL SECTION - PARK AVENUE, OPTION 2

- Two-way Traffic
- Sidewalks on both sides of street
- Back of sidewalk stays in existing location
- Existing crosswalk stays with new signage and yield lines
- Planting strip on East side of the Street 2.2ft
- No marked parking spaces throughout Park and Johnson Avenue
  - 5 unmarked parking spaces are removed with bumpouts
- Proposed bump outs at Park Avenue and West 4<sup>th</sup> Street intersection
- Proposed landscaped bump outs staggered throughout Park Avenue



	<u>EXISTING CONDITION</u>	<u>PROPOSED CONDITION</u>
Travel Lanes	16 feet	17 feet
Sidewalk	4.25 - 5 feet	5 feet

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 13, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).

PRESENTATION: TBD

**AN ORDINANCE**

**TO AMEND CHAPTER 197, “ZONING”, SECTION 197-46.1(F), “ACCESSORY DWELLING UNITS (ADUS)” OF THE MUNICIPAL CODE OF THE CITY OF LEWES RELATING TO ACCESSORY DWELLING UNITS**

**WHEREAS**, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

**WHEREAS**, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

**WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

**WHEREAS**, Section 38 of the Charter of The City of Lewes provides that the above-referenced grant of power “shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace and to require or cause same to be torn down, removed or so altered as to eliminate the menace of fires; to prescribe the height and thickness of any building and the kind and grade of materials used in the construction thereof”; and

**WHEREAS**, Chapter 197, Zoning, Section 197-104, Text and map amendments, of the Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall be made after a public hearing following fifteen (15) days’ notice by publication in an official paper or a paper of general circulation in the City. *Accord 22 Del. C. § 304*; and

**WHEREAS**, at least fifteen (15) days’ notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or newspaper of general circulation in the City; and

**WHEREAS**, public hearings were conducted on March 2, 2026, and May 4, 2026.

**BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

TOPIC: Draft Ordinance –Accessory Dwelling Units  
VERSION: April 8, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).  
PRESENTATION: TBD

42                   **Section 1.** Chapter 197, Zoning, Section 197-46.1, Accessory dwelling units  
43 (ADUs), is hereby further amended by making insertions as shown by underlining and deletions  
44 as shown by strikethrough as follows:

45  
46 § 197-46.1 **Accessory dwelling units (ADUs).**

47  
48 . . . .

49  
50 **F. Requirements.**

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52       (1) Prior to constructing, converting, altering, erecting, improving, or otherwise modifying an  
53 ADU, a building permit for an accessory dwelling unit must be applied for and issued by  
54 the Planning and Building Department. No more than 40 accessory dwelling unit building  
55 permits may be issued within 12 months of September 9, 2024. After the first year, there  
56 is no limit on the number of ADUs that may be issued unless a separate number is  
57 determined by the Mayor and City Council.

58  
59       (2) A City of Lewes building permit is required for any work in connection with the creation  
60 of an ADU as identified in Chapter 70.

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62       (3) An ADU shall not be used or occupied in whole or in part, and a change of occupancy of  
63 an ADU shall not be made, until the Planning and Building Department has issued a  
64 certificate of occupancy for the accessory dwelling unit.

65  
66       (4) The property owner must submit a signed and notarized accessory dwelling unit property  
67 owner affidavit prior to receiving an accessory dwelling unit ~~building permit~~ certificate of  
68 occupancy, as a condition of having an ADU on the property. This affidavit is provided  
69 by the City and must be recorded at the Recorder of Deeds in and for Sussex County  
70 prior to submission to the City.

71  
72       (5) Any fraud, material misrepresentations, or false statements contained in the attestations,  
73 required documentation, or correlating materials associated with securing approval for an  
74 ADU shall be grounds for immediate revocation of a certificate of occupancy for the  
75 accessory dwelling unit. Furthermore, all requirements herein shall be continuously  
76 maintained throughout the duration of the certificate of occupancy for the accessory  
77 dwelling unit.

78  
79       (6) No more than one ADU shall be permitted on a single lot.

80  
81       (7) The property owner must occupy and reside in either the principal dwelling unit or the  
82 ADU as their principal legal residence.

83

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).

PRESENTATION: TBD

- 84 (8) One additional off-street parking space is required for an ADU, in addition to the number  
85 of spaces required for the existing primary dwelling (§ 197-61).  
86
- 87 (9) An ADU shall not be sublet.  
88
- 89 (10) An ADU shall not be used as a short-term rental (Ch. 150).  
90
- 91 (11) Upon a change in occupancy of an ADU, the property owner agrees to allow the  
92 Planning and Building Department the right to inspect the ADU to confirm attestations of  
93 all previously submitted application information and applicable code requirements.  
94 Inspections shall be performed at an agreed upon time with no less than 48 hours prior  
95 notice, except in the case of an immediate threat to public safety. Nonresponse to or  
96 refusal of an inspection shall be grounds for the suspension of an accessory dwelling unit  
97 certificate of occupancy.  
98
- 99 (12) An ADU shall not be used for commercial use.  
100
- 101 (13) Prior to a new tenant moving into the ADU, an inspection shall be performed by the City  
102 of Lewes.  
103
- 104 (14) Existing ADUs. An ADU that was in existence as of January 1, 2027, as evidenced by  
105 City rental licensing records (an “Existing ADU”), shall be exempt from the requirements  
106 of §§ 197-46.1(F)(7), (8), and (10), provided that the property owner ~~submits evidence of~~  
107 ~~gross receipts rental tax (“GRRT”) to the City maintains a valid rental license issued~~  
108 ~~pursuant to Chapter 150 for each calendar year. In the event that no GRRT is submitted to~~  
109 ~~the City the property owner fails to maintain a valid rental license for two consecutive~~  
110 calendar years, the exemption provided by this subsection shall terminate and the  
111 property owner shall be required to comply with all requirements of § 197-46.1(F).  
112

113 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or  
114 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any  
115 other provision of this Ordinance which may be given effect without such invalid or  
116 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to  
117 be severable.  
118

119

120 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the  
121 Mayor and City Council.  
122

123 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
124 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its  
125 regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout  
126 and the same is still in full force and effect.

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026 (Redline indicates changes from version dated 03.17.26 presented on March 25, 2026).

PRESENTATION: TBD

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Secretary

SYNOPSIS: This Ordinance amends accessory dwelling unit requirements in two respects. First, it adds a new subsection which exempts ADUs in existence as of January 1, 2027, from the owner-occupancy requirement, the additional parking requirement, and the prohibition on the use of an ADU as a short-term rental. If ~~no gross receipts rental tax is submitted~~ a valid rental license is not maintained for two consecutive calendar years, the above-mentioned exemption terminates. Second, it ties the owner-occupancy affidavit to the issuance of a certificate of occupancy rather than the building permit.

DRAFT

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026

PRESENTATION: TBD

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**AN ORDINANCE  
TO AMEND CHAPTER 197, “ZONING”, SECTION 197-46.1(F), “ACCESSORY  
DWELLING UNITS (ADUS)” OF THE MUNICIPAL CODE OF THE CITY OF LEWES  
RELATING TO ACCESSORY DWELLING UNITS**

**WHEREAS**, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

**WHEREAS**, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

**WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

**WHEREAS**, Section 38 of the Charter of The City of Lewes provides that the above-referenced grant of power “shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace and to require or cause same to be torn down, removed or so altered as to eliminate the menace of fires; to prescribe the height and thickness of any building and the kind and grade of materials used in the construction thereof”; and

**WHEREAS**, Chapter 197, Zoning, Section 197-104, Text and map amendments, of the Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall be made after a public hearing following fifteen (15) days’ notice by publication in an official paper or a paper of general circulation in the City. *Accord 22 Del. C. § 304*; and

**WHEREAS**, at least fifteen (15) days’ notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or newspaper of general circulation in the City; and

**WHEREAS**, public hearings were conducted on March 2, 2026, and May 4, 2026.

**BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026

PRESENTATION: TBD

42 **Section 1.** Chapter 197, Zoning, Section 197-46.1, Accessory dwelling units  
43 (ADUs), is hereby further amended by making insertions as shown by underlining and deletions  
44 as shown by strikethrough as follows:

45  
46 § 197-46.1 **Accessory dwelling units (ADUs).**

47  
48 . . . .

49  
50 **F. Requirements.**

51  
52 (1) Prior to constructing, converting, altering, erecting, improving, or otherwise modifying an  
53 ADU, a building permit for an accessory dwelling unit must be applied for and issued by  
54 the Planning and Building Department. No more than 40 accessory dwelling unit building  
55 permits may be issued within 12 months of September 9, 2024. After the first year, there  
56 is no limit on the number of ADUs that may be issued unless a separate number is  
57 determined by the Mayor and City Council.

58  
59 (2) A City of Lewes building permit is required for any work in connection with the creation  
60 of an ADU as identified in Chapter 70.

61  
62 (3) An ADU shall not be used or occupied in whole or in part, and a change of occupancy of  
63 an ADU shall not be made, until the Planning and Building Department has issued a  
64 certificate of occupancy for the accessory dwelling unit.

65  
66 (4) The property owner must submit a signed and notarized accessory dwelling unit property  
67 owner affidavit prior to receiving an accessory dwelling unit ~~building permit~~ certificate of  
68 occupancy, as a condition of having an ADU on the property. This affidavit is provided  
69 by the City and must be recorded at the Recorder of Deeds in and for Sussex County  
70 prior to submission to the City.

71  
72 (5) Any fraud, material misrepresentations, or false statements contained in the attestations,  
73 required documentation, or correlating materials associated with securing approval for an  
74 ADU shall be grounds for immediate revocation of a certificate of occupancy for the  
75 accessory dwelling unit. Furthermore, all requirements herein shall be continuously  
76 maintained throughout the duration of the certificate of occupancy for the accessory  
77 dwelling unit.

78  
79 (6) No more than one ADU shall be permitted on a single lot.

80  
81 (7) The property owner must occupy and reside in either the principal dwelling unit or the  
82 ADU as their principal legal residence.

83

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026

PRESENTATION: TBD

84 (8) One additional off-street parking space is required for an ADU, in addition to the number  
85 of spaces required for the existing primary dwelling (§ 197-61).

86

87 (9) An ADU shall not be sublet.

88

89 (10) An ADU shall not be used as a short-term rental (Ch. 150).

90

91 (11) Upon a change in occupancy of an ADU, the property owner agrees to allow the  
92 Planning and Building Department the right to inspect the ADU to confirm attestations of  
93 all previously submitted application information and applicable code requirements.  
94 Inspections shall be performed at an agreed upon time with no less than 48 hours prior  
95 notice, except in the case of an immediate threat to public safety. Nonresponse to or  
96 refusal of an inspection shall be grounds for the suspension of an accessory dwelling unit  
97 certificate of occupancy.

98

99 (12) An ADU shall not be used for commercial use.

100

101 (13) Prior to a new tenant moving into the ADU, an inspection shall be performed by the City  
102 of Lewes.

103

104 (14) Existing ADUs. An ADU that was in existence as of January 1, 2027, as evidenced by  
105 City rental licensing records (an “Existing ADU”), shall be exempt from the requirements  
106 of §§ 197-46.1(F)(7), (8), and (10), provided that the property owner maintains a valid  
107 rental license issued pursuant to Chapter 150 for each calendar year. In the event that the  
108 property owner fails to maintain a valid rental license for two consecutive calendar years,  
109 the exemption provided by this subsection shall terminate and the property owner shall be  
110 required to comply with all requirements of § 197-46.1(F).

111

112 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or  
113 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any  
114 other provision of this Ordinance which may be given effect without such invalid or  
115 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to  
116 be severable.

117

118

119 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the  
120 Mayor and City Council.

121

122 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
123 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its  
124 regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout  
125 and the same is still in full force and effect.

126

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: April 8, 2026

PRESENTATION: TBD

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Secretary

131 SYNOPSIS: This Ordinance amends accessory dwelling unit requirements in two respects. First,  
132 it adds a new subsection which exempts ADUs in existence as of January 1, 2027, from the  
133 owner-occupancy requirement, the additional parking requirement, and the prohibition on the use  
134 of an ADU as a short-term rental. If a valid rental license is not maintained for two consecutive  
135 calendar years, the above-mentioned exemption terminates. Second, it ties the owner-occupancy  
136 affidavit to the issuance of a certificate of occupancy rather than the building permit.

DRAFT

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: March 18, 2026

PRESENTATION: TBD

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**AN ORDINANCE  
TO AMEND CHAPTER 197, “ZONING”, SECTION 197-46.1(F), “ACCESSORY  
DWELLING UNITS (ADUS)” OF THE MUNICIPAL CODE OF THE CITY OF LEWES  
RELATING TO ACCESSORY DWELLING UNITS**

**WHEREAS**, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

**WHEREAS**, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

**WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

**WHEREAS**, Section 38 of the Charter of The City of Lewes provides that the above-referenced grant of power “shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace and to require or cause same to be torn down, removed or so altered as to eliminate the menace of fires; to prescribe the height and thickness of any building and the kind and grade of materials used in the construction thereof”; and

**WHEREAS**, Chapter 197, Zoning, Section 197-104, Text and map amendments, of the Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall be made after a public hearing following fifteen (15) days’ notice by publication in an official paper or a paper of general circulation in the City. *Accord 22 Del. C. § 304*; and

**WHEREAS**, at least fifteen (15) days’ notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or newspaper of general circulation in the City; and

**WHEREAS**, public hearings were conducted on March 2, 2026, and April \_\_, 2026.

**BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: March 18, 2026

PRESENTATION: TBD

42                   **Section 1.**     Chapter 197, Zoning, Section 197-46.1, Accessory dwelling units  
43 (ADUs), is hereby further amended by making insertions as shown by underlining and deletions  
44 as shown by strikethrough as follows:

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46     § 197-46.1 **Accessory dwelling units (ADUs).**

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48     ....

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52       (1) Prior to constructing, converting, altering, erecting, improving, or otherwise modifying an  
53 ADU, a building permit for an accessory dwelling unit must be applied for and issued by  
54 the Planning and Building Department. No more than 40 accessory dwelling unit building  
55 permits may be issued within 12 months of September 9, 2024. After the first year, there  
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64 certificate of occupancy for the accessory dwelling unit.

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66       (4) The property owner must submit a signed and notarized accessory dwelling unit property  
67 owner affidavit prior to receiving an accessory dwelling unit ~~building permit~~ certificate of  
68 occupancy, as a condition of having an ADU on the property. This affidavit is provided  
69 by the City and must be recorded at the Recorder of Deeds in and for Sussex County  
70 prior to submission to the City.

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72       (5) Any fraud, material misrepresentations, or false statements contained in the attestations,  
73 required documentation, or correlating materials associated with securing approval for an  
74 ADU shall be grounds for immediate revocation of a certificate of occupancy for the  
75 accessory dwelling unit. Furthermore, all requirements herein shall be continuously  
76 maintained throughout the duration of the certificate of occupancy for the accessory  
77 dwelling unit.

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79       (6) No more than one ADU shall be permitted on a single lot.

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81       (7) The property owner must occupy and reside in either the principal dwelling unit or the  
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83

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: March 18, 2026

PRESENTATION: TBD

84 (8) One additional off-street parking space is required for an ADU, in addition to the number  
85 of spaces required for the existing primary dwelling (§ 197-61).  
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87 (9) An ADU shall not be sublet.  
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89 (10) An ADU shall not be used as a short-term rental (Ch. 150).  
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91 (11) Upon a change in occupancy of an ADU, the property owner agrees to allow the  
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93 all previously submitted application information and applicable code requirements.  
94 Inspections shall be performed at an agreed upon time with no less than 48 hours prior  
95 notice, except in the case of an immediate threat to public safety. Nonresponse to or  
96 refusal of an inspection shall be grounds for the suspension of an accessory dwelling unit  
97 certificate of occupancy.  
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99 (12) An ADU shall not be used for commercial use.  
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101 (13) Prior to a new tenant moving into the ADU, an inspection shall be performed by the City  
102 of Lewes.  
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104 (14) Existing ADUs. An ADU that was in existence as of January 1, 2027, as evidenced by  
105 City rental licensing records (an “Existing ADU”), shall be exempt from the requirements  
106 of §§ 197-46.1(F)(7), (8), and (10), provided that the property owner submits evidence of  
107 gross receipts rental tax (“GRRT”) to the City for each calendar year. In the event that no  
108 GRRT is submitted to the City for two consecutive calendar years, the exemption  
109 provided by this subsection shall terminate and the property owner shall be required to  
110 comply with all requirements of § 197-46.1(F).  
111

112 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or  
113 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any  
114 other provision of this Ordinance which may be given effect without such invalid or  
115 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to  
116 be severable.  
117

118  
119 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the  
120 Mayor and City Council.  
121

122 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
123 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its  
124 regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout  
125 and the same is still in full force and effect.  
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TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: March 18, 2026

PRESENTATION: TBD

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Secretary

SYNOPSIS: This Ordinance amends accessory dwelling unit requirements in two respects. First, it adds a new subsection which exempts ADUs in existence as of January 1, 2027, from the owner-occupancy requirement, the additional parking requirement, and the prohibition on the use of an ADU as a short-term rental. If no gross receipts rental tax is submitted for two consecutive calendar years, the above-mentioned exemption terminates. Second, it ties the owner-occupancy affidavit to the issuance of a certificate of occupancy rather than the building permit.



TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: February 2, 2026

PRESENTATION: TBD

**AN ORDINANCE**

**TO AMEND CHAPTER 197, “ZONING”, SECTION 197-46.1(F), “ACCESSORY DWELLING UNITS (ADUS)” OF THE MUNICIPAL CODE OF THE CITY OF LEWES RELATING TO ACCESSORY DWELLING UNITS**

**WHEREAS**, on September 9, 2024, the Mayor and City Council adopted an ordinance relating to the regulation of accessory dwelling units; and

**WHEREAS**, the Mayor and City Council find it is in the best interest of the City of Lewes to update said regulations; and

**WHEREAS**, Title 22, Chapter 3, Section 301 of the Delaware Code provides that “[f]or the purpose of promoting health, safety, morals or the general welfare of the community, the legislative body of cities and incorporated towns may regulate and restrict the height, number of stories and size of buildings and other structures, percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes”; and

**WHEREAS**, Section 38 of the Charter of The City of Lewes provides that the above-referenced grant of power “shall embrace new buildings or additions to or alterations of existing structures of every kind; to condemn buildings or structures, or portions thereof, that constitute a fire menace and to require or cause same to be torn down, removed or so altered as to eliminate the menace of fires; to prescribe the height and thickness of any building and the kind and grade of materials used in the construction thereof”; and

**WHEREAS**, Chapter 197, Zoning, Section 197-104, Text and map amendments, of the Municipal Code of the City of Lewes provides that any amendment to the Zoning Ordinance shall be made after a public hearing following fifteen (15) days’ notice by publication in an official paper or a paper of general circulation in the City. *Accord 22 Del. C. § 304*; and

**WHEREAS**, at least fifteen (15) days’ notice of such hearing was provided by publishing notice of the time and place of such hearing in an official paper or newspaper of general circulation in the City; and

**WHEREAS**, a public hearing was conducted on February \_\_, 2026.

**BE IT ORDAINED** by the Mayor and City Council, in session met, a quorum pertaining at all times thereto, in the manner following to-wit:

TOPIC: Draft Ordinance –Accessory Dwelling Units

VERSION: February 2, 2026

PRESENTATION: TBD

42 **Section 1.** Chapter 197, Zoning, Section 197-46.1, Accessory dwelling units  
43 (ADUs), is hereby further amended by making insertions as shown by underlining and deletions  
44 as shown by strikethrough as follows:

45  
46 § 197-46.1 **Accessory dwelling units (ADUs).**

47  
48 . . . .

49 **F. Requirements.**

50  
51  
52 (7) In the event tThe property owner does not ~~must~~ occupy and reside in either the  
53 principal dwelling unit or the ADU as their principal legal residence, the property owner  
54 shall designate an individual to serve as a local contact person, who shall be available 24  
55 hours a day to accept telephone calls from the City and, if requested by the City, respond  
56 physically to any rented dwellings on the property within a reasonable time period, not to  
57 exceed two hours, when the dwellings are rented and occupied.

58  
59  
60 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or  
61 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any  
62 other provision of this Ordinance which may be given effect without such invalid or  
63 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to  
64 be severable.

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67 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the  
68 Mayor and City Council.

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70 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
71 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its  
72 regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout  
73 and the same is still in full force and effect.

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77 \_\_\_\_\_  
78 Secretary

79 SYNOPSIS: This Ordinance amends accessory dwelling unit requirements. Specifically, it  
80 eliminates the owner-occupancy requirement for ADUs and establishes a local contact  
81 requirement for ADUs that are not owner-occupied.

## Summary of Public Comments – Ordinance 2-26 (Accessory Dwelling Units)

<b>Category</b>	<b>Count/Details</b>
Total number of comments	5
A. # of comments in support	2
B. # of comments in opposition	3
C. # of 'other' comments	0
<b>Topics addressed in the comments included</b>	
- Requests that existing ADUs be grandfathered or recognized as legal nonconforming uses	Raised by 3 commenters
- Opposition to the ADU ordinance or proposed changes due to concerns about increased density, parking limitations, and impacts to neighborhood character	Raised by 2 commenters
- Concerns regarding impacts on property values, property rights, and potential financial harm to owners who purchased properties under prior regulations	Raised by 2 commenters
- Support for eliminating the owner-residency requirement to preserve existing long-term rental housing	Raised by 1 commenter
- Concerns that existing ADU owners were not adequately consulted during development of the ordinance or review process	Raised by 1 commenter
- Concerns that certain requirements (e.g., owner residency, off-street parking) may be impossible for older properties to meet	Raised by 1 commenter
- Support for enforcing existing zoning ordinances and allowing the current ADU ordinance to remain in place while reviewing the broader rental ordinance and future zoning policies	Raised by 1 commenter
- Concerns that increasing housing supply without safeguards could lead to more short-term rentals, increased density, and reduced quality of life	Raised by 1 commenter

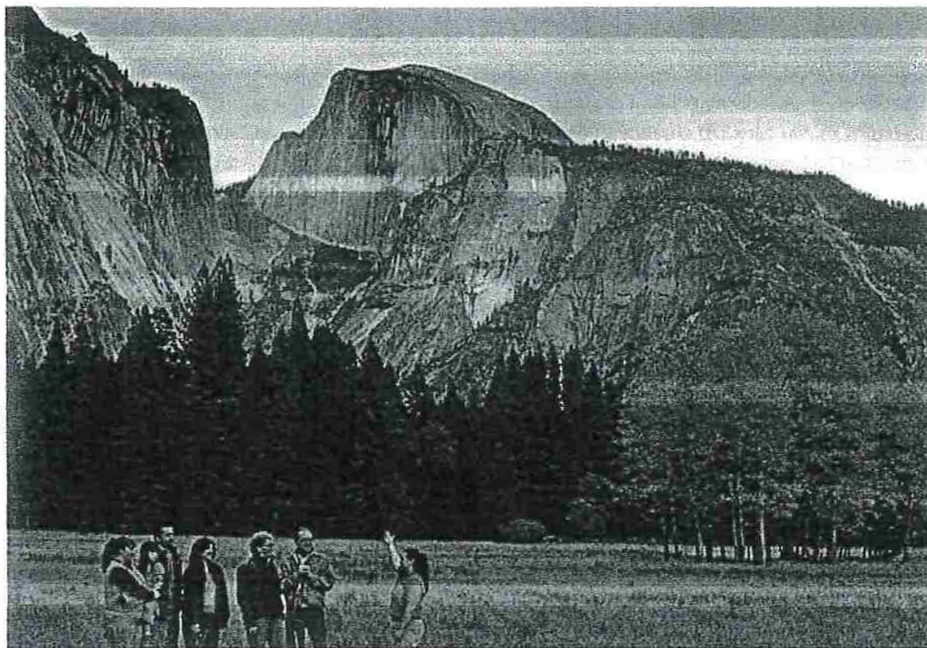
# LANDWRITES

## Ten Principles for Responsible Tourism

EDWARD T. McMAHON

**If a destination becomes too crowded, too commercial, or too much like every other place, then why should tourists bother to go there?**

Half Dome rises above Yosemite Valley in Yosemite National Park, California.



NATIONAL PARK SERVICE

WHERE DID YOU GO ON YOUR last vacation? Was it rewarding and satisfying? Would you recommend it to a friend? Did the destination meet your expectations, or were you disappointed? Did traffic congestion, dirty air, crowded beaches, slipshod service, or excessive commercialism leave you feeling frustrated and cheated?

Tourism is big business. Americans spend more than \$800 billion a year on travel and recreational pursuits away from home. Tourism is one of the three largest industries in every American state and a critical factor in the U.S. and world economies.

However, tourism is also a double-edged sword. On one hand, it provides communities with many benefits: new jobs, an expanded tax base, enhanced infrastructure, improved facilities, and an expanded market for local products, art, and handicrafts. In short, it can be an important tool for community revitalization. On the other hand, it can create problems and burdens for communities such as crowding, traffic congestion, noise, increased crime, haphazard development, cost-of-living increases, and degraded resources.

“The impacts of tourism on a community can be beneficial if planned and managed, or extremely damaging if left without controls,” says Michael Kelly, former chair-

man of the American Planning Association’s tourism planning division.

### Mass-Market and Sustainable Tourism

How does a community maximize the benefits of tourism while minimizing the problems? First, communities need to recognize the differences between mass-market tourism and sustainable tourism. Mass-market tourism is all about “heads in beds.” It is a high-volume, high-impact but low-yield approach. A classic example is Fort Lauderdale, Florida.

Tourism is about more than marketing. It is also about protecting and enhancing the product communities are trying to promote.

In the 1970s and 1980s, Fort Lauderdale was the “spring break capital” of America. City officials thought it was a great idea to invite hundreds of thousands of college students to visit for a few weeks each year. What they did not count on was that the college kids would sleep six to eight to a room and that the only thing they would spend money on was beer. The city had to hire extra police and cleanup crews, and soon Fort Lauderdale had a reputation as an out-of-control town full of drunken college kids.

Today, Fort Lauderdale is no longer the spring break capital. It may not have as many tourists as it once did, but the tourists who do visit are older and more affluent. They sleep two to a room; they dine at fancy restaurants and shop in high-end stores; their presence does not require the city to hire extra police and cleanup crews. Sustainable tourism is lower volume and lower impact, but has a higher yield.

In order to understand mass-market tourism, think about mega-hotels, theme parks, chain stores, and the new generation of

enormous (4,000- to 5,000-passenger) cruise ships. Mass-market tourism is focused on *quantity*; it is also about environments that are artificial, homogenized, generic, and formulaic. In contrast, sustainable tourism is about high *quality*; its focus is on places that are authentic, specialized, unique, and homegrown. To understand sustainable tourism, think about unspoiled scenery, locally owned businesses, historic small towns, and walkable urban neighborhoods.

Local and state tourism agencies spend millions of dollars each year on tourism marketing and promotion. Marketing is important because it promotes visitation and helps create demand. It identifies and segments potential visitors and provides information about a community and its attractions.

Yet, tourism involves a lot more than marketing. It also involves making destinations more appealing. This means identifying, preserving, enhancing, and/or restoring a community's natural and cultural assets—in other words, protecting its heritage and environment. It is, after all, the unique architecture, culture, wildlife, or natural beauty of a community or region that attracts tourists in the first place.

In today's global marketplace, competition for tourists' spending is fierce. If the destination is too crowded, too commercial, or too much like every other place, then why go? The best marketing a community can have is by word of mouth. This occurs when the reality of the place meets or exceeds the mental image that visitors have been sold through marketing and promotion. Creation of a false image can spoil a vacation. What's more, it can reduce repeat visitation. Tourists may come once, but they will not come back.

The truth is, the more a community comes to look and feel just like everywhere else, the less reason there is to visit. At the same time, the more a community does to enhance its uniqueness, the more people will want to visit. This is the reason why local land use planning, historic restoration, and urban design standards are so important.

To attract and retain tourists, local officials need to become much more aware of the overall character of their community. This is because studies reveal significant differences between resident and tourist perceptions of a community. Tourists are open and receptive to everything they see, while longtime residents tend to tune out the familiar environments along the roads they travel day in and day out.

### Ten Recommendations for Responsible Tourism

How can a community attract tourists and their dollars without losing its soul? Ten recommendations follow.

**1. Preserve and restore historic buildings, neighborhoods, and landscapes.** A city without a past is like a person without a memory. Preservation of historic buildings is important because they are the physical manifestations of the past. They tell us who we are and where we came from. Saving the historic buildings and landscapes of a city is about saving the heart and soul of the community. It is also about economic competitiveness. Travel writer Arthur Frommer put it this way: "Among cities with no particular recreational appeal, those that have preserved their past continue to enjoy tourism. Those that haven't receive almost

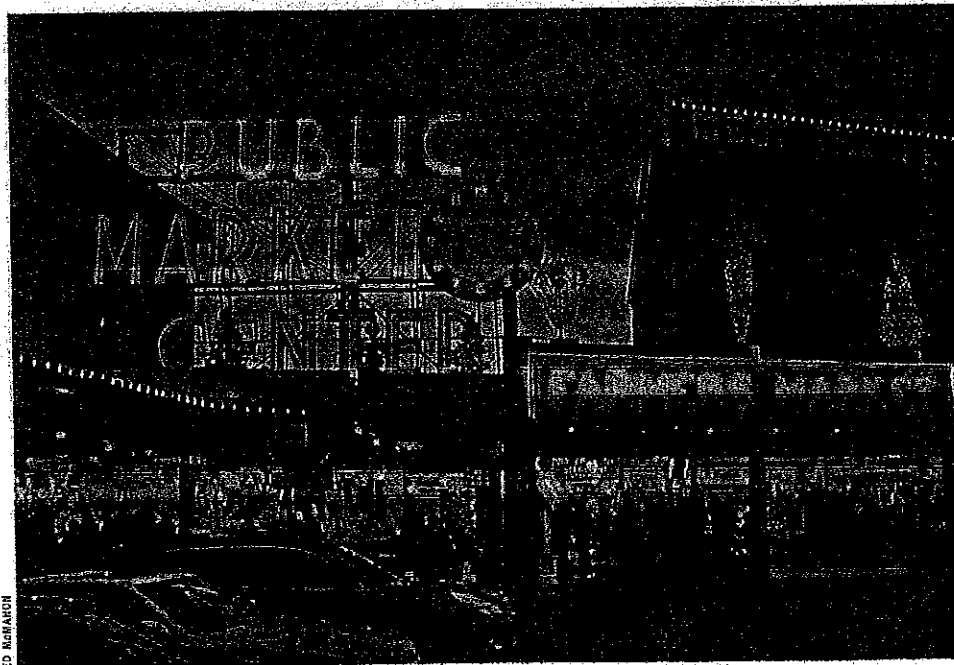
no tourism at all. Tourism simply won't go to a city or town that has lost its soul."

Try to imagine, San Francisco without Alcatraz; Alexandria, Virginia, without its Old Town; New Orleans without the French Quarter; or Seattle without the Pike Place Market. These communities would be lesser places, and they would be diminished as tourist destinations.

Preservation-minded communities like Santa Barbara, California; Charleston, South Carolina; Savannah, Georgia; Santa Fe, New Mexico; Miami Beach, Florida; and Quebec City in Canada are among North America's leading tourist destinations precisely because they have protected their unique architectural heritage. By contrast, cities that have obliterated their past attract few tourists or their money.

**2. Focus on the authentic.** Communities should make every effort to preserve the authentic aspects of local heritage and culture, including food, art, music, handicrafts, architecture, landscape, and traditions. Sustainable tourism emphasizes the real over the artificial. It recognizes that

Pike Place Market in Seattle, Washington.



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the true story of a place is worth telling, even if it is painful or disturbing.

For example, in Birmingham, Alabama, the Civil Rights museum and historic district tell the story of the city's turbulent history during the civil rights era. This authentic representation of the city's past adds value and appeal to Birmingham as a destination, and the museum and sur-

**3. Ensure that tourism support facilities are compatible with their surroundings.** Tourists need places to eat and sleep, and they appreciate dependable levels of service and accommodation. But wherever they go, tourists also crave integrity of place—something not provided by homogeneous, “off-the-shelf” corporate chain and franchise architecture, which

the centerpiece of a 76-room hotel within walking distance of historic downtown Lexington.

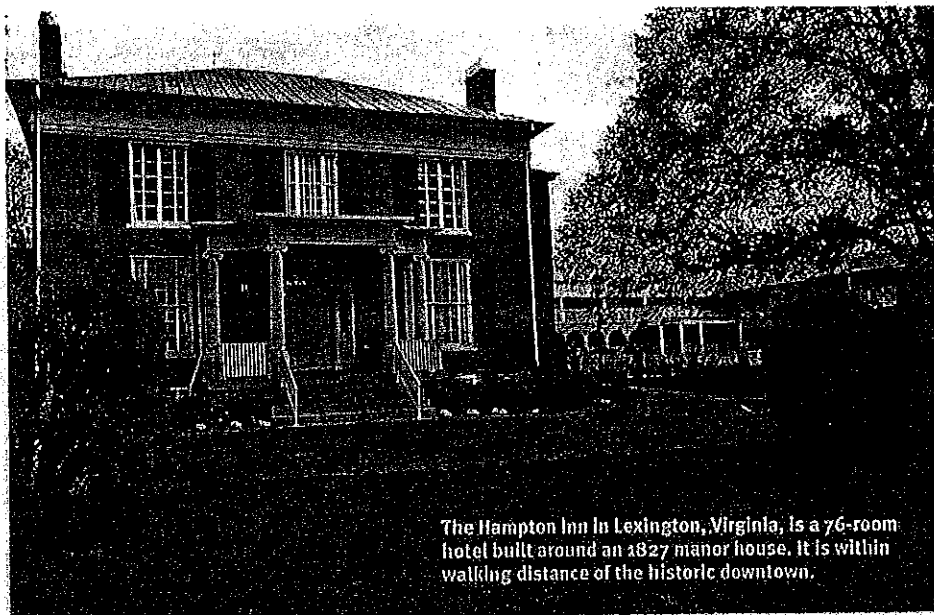
In some cases, historic hotels can be the centerpiece of downtown revitalization efforts. The Mission Inn in Riverside, California; the Martha Washington Hotel in Abingdon, Virginia; and the Peabody Hotel in downtown Memphis are three examples.

Executives at Marriott estimated in 2014 that up to 20 percent of the company's new Courtyard hotels that year would be in repurposed older buildings, and the trend is not confined to hotels. “When a chain store or franchise comes to town, they generally have three designs—A, B, and C—ranging from Anywhere, USA, to unique (sensitive to local character),” says Bob Gibbs, a leading real estate market analyst. “Which one gets built depends heavily upon how much push-back the company gets from local residents and officials about design and its importance.”

Design is critically important for communities trying to compete in the tourism marketplace. Tourism is the sum of the travel experience. It is not just what happens at a museum or a festival; it also involves the places that tourists eat and sleep, the roads they drive down, the main streets they shop on, and so forth.

Every new development should have a harmonious relationship with its setting. Tourism support facilities should reflect the broader environmental context of the community and should respect the specific size, character, and function of their site within the surrounding landscape. A community's food and lodging facilities are part of the total tourism package. Hotels and restaurants should reflect a city and not each other. Hotels in Mississippi, for example, should be different from those in Maine, Missouri, Montana, Morocco, or Malaysia.

**4. Interpret the resource.** Education and interpretation are other keys to sustainable tourism. Visitors want information about what they are seeing, and interpretation can be a powerful storytelling tool that can make an exhibit, an attraction, even an entire community come alive. It can also result in better-managed resources by



The Hampton Inn in Lexington, Virginia, is a 76-room hotel built around an 1827 manor house. It is within walking distance of the historic downtown.

ED McMAHON

rounding historic district have proved popular with visitors from all over the world.

In Virginia, the Crooked Road Heritage Music Trail is another great example of an authentic attraction rooted in local tradition. The driving route along U.S. Route 58 connects major heritage music venues in southwest Virginia, showcasing the traditional gospel, bluegrass, and mountain music indigenous to the region. Annual festivals, weekly concerts, live radio shows, and informal jam sessions abound throughout the region and attract locals and tourists alike.

A third example is the Manzanar National Historic Site at the foot of the Sierra Nevada near Independence, California. It was established to preserve the stories of the nearly 120,000 Japanese Americans interned during World War II and to serve as a reminder to this and future generations of the fragility of American civil liberties.

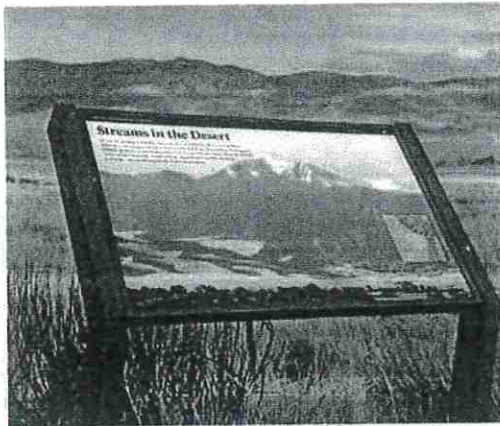
reduces a community's appeal as a tourist destination. “Travelers don't want consistency and reliability to come at the expense of authenticity,” notes Henry Hartevelt, at the time a travel analyst for the research firm Hudson Crossing.

Today, reusing and recycling old buildings is becoming much more common in the hotel industry. Hotel chains are repurposing numerous existing buildings like warehouses, hospitals, and office buildings. The Cotton Exchange Hotel in New Orleans is one example; the Chatwal Hotel in New York City, fashioned from the former Lamb's Theatre, is another.

A small-town example of a chain hotel that fits in with a historic community is the Hampton Inn in Lexington, Virginia. Instead of building a generic chain hotel out by the Interstate, the owners of the Lexington Hampton Inn converted an 1827 manor house, the Col Alto Mansion, into

explaining why they are important. Interpretation instills respect and fosters stewardship. Education about natural and cultural resources can instill community pride and strengthen sense of place.

Gettysburg, Pennsylvania, developed a communitywide interpretation program that involves public art, wayside exhibits, and interpretive markers that tell the story of the town and its role in the Civil War's Battle of Gettysburg. The city did this after it realized that most tourists were driving around the national military park and then leaving town without realizing that



Interpretation results in better-managed resources.

the town itself was a big part of the story. Since the interpretative program was completed, the number of visitors spending time and money in downtown Gettysburg has measurably increased.

Richmond, Virginia, is another community that has done a great job of telling its story. The Richmond Slave Trail, for example, is a walking trail that chronicles the trade of enslaved Africans from Africa to Virginia until 1775 and away from Virginia until 1865. There are numerous historic markers along the route that explain the various sites and cast new light on a dark chapter of U.S. history.

**5. Protect community gateways.** First impressions matter. Just as when meeting a person for the first time, a good first impression is important and a bad first impression is hard to change. Some communities pay attention to their gateways. Other do not. Many communities have gotten used to ugly-



ness, accepting it as an inevitable side effect of progress. More-enlightened communities recognize that community appearance is important. It affects a community's image and its economic well-being.

For instance, a first visit to New Market, Virginia, in the 1970s revealed it to be a Norman Rockwell sort of town in the Shenandoah Valley. But a visit a decade later proved very disappointing: giant new fast-food and gas-station signs towered over the town's historic buildings, obliterating the scenery and diminishing the town's appeal as a tourist destination.

Downtown is the heart of most communities, but the commercial corridors leading to downtown are the front door. Corridor enhancements are critical to making a good first impression. Commercial corridors also offer some of the best redevelopment opportunities. Arlington County, Virginia, for example, has used a form-based code to incentivize redevelopment along Columbia Pike. Unsightly automobile-oriented development is now being displaced by walkable, mixed-use development. Other communities like Cathedral City, California; Camel, Indiana; and Charlotte, North Carolina, have used corridor overlay zoning to improve the character of new development along entry corridors.

**6. Control outdoor signs.** Protecting scenic views and vistas, planting street trees, and landscaping parking lots all make economic sense, but controlling outdoor signs is probably the most important step a tourism-oriented community

can take to make an immediate, visible improvement in its physical environment. Almost nothing will destroy the distinctive character of a community faster than uncontrolled signs and billboards. Sign clutter is ugly, ineffective, and expensive.

can take to make an immediate, visible improvement in its physical environment. Almost nothing will destroy the distinctive character of a community faster than uncontrolled signs and billboards. Sign clutter is ugly, ineffective, and expensive. When the streetscape becomes overloaded with signs, the cumulative effect is negative: the viewer actually sees less, not more. Almost all of America's premier tourist destinations have strong sign ordinances because they understand that attractive communities attract more business than ugly ones.

**7. Enhance the journey as well as the destination.** As noted, tourism is not just what happens at the destination; it involves everything that people see and do from the time they leave home until the trip is over. Getting there can be half the fun, but frequently it is not.

Though there are many great destinations in America, very few noteworthy journeys remain. Except for a few special roads like the Blue Ridge Parkway or the Natchez Trace Parkway, a drive along a typical American highway can be a profoundly depressing experience. The late author and television commentator Charles Kuralt put it this way: "Thanks to the interstate highway system, it is now possible to drive across the country from coast to coast

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without seeing anything.” Tourists want to see places that are different, unusual, or unique. This is why it is in the interest of state and local officials to encourage development of heritage corridors, bike paths, rail trails, greenways, and scenic byways.

**8. Get tourists out of their cars.** If you design a community or development around cars, you will get more cars. But if you design a community or development around people, you will get more pedestrians. Walkability is very good for business, especially tourism-oriented businesses. In

become a coherent and powerful attraction. The Blues Highway in Mississippi—a.k.a. U.S. Route 61—connects Memphis to New Orleans and passes through numerous small towns in the Mississippi Delta. Each of these small towns tells a part of the story of America’s musical history, but few of them would attract tourists on their own without being part of a bigger story.

Birding trails, wildlife trails, literary heritage trails, and Civil War heritage trails are all examples of this linkage concept. The Katy Trail in Missouri—running 240 miles

residents and the eventual destruction of the very attributes that attracted tourists in the first place. Too many cars, tour buses, condominiums, or people can overwhelm a community and harm fragile resources.

Sustainable tourism requires planning and management. Annapolis, Maryland; Charleston, South Carolina; and Williamsburg, Virginia, are examples of communities with tourism management plans. Charleston, for example, bars large tour buses from the neighborhood south of Broad Street, known as the Battery. It also directs travelers to the city’s visitor center, which is located well away from historic residential neighborhoods that were being overrun by tourists. It has also built new attractions, like the South Carolina Aquarium, in underserved areas of the city instead of concentrating everything in one or two overcrowded neighborhoods.

### More Than Marketing

In recent years, American tourism has had steadily less to do with America and more to do with mass marketing. As farmland, forests, and open lands decrease, advertising dollars increase. As historic buildings disappear, chain stores proliferate. As Main Streets come back to life, congested commercial corridors spread on the outskirts of towns. Unless the tourism industry thinks it can continue to sell trips to communities clogged with traffic, look-alike motels, overcrowded beaches, and cluttered commercial strips, it needs to create a plan to preserve the natural, cultural, and scenic resources on which it relies.

Tourism is about more than marketing. It is also about protecting and enhancing the product communities are trying to promote. Citizens, elected officials, and developers alike can take a leadership role in creating a sustainable tourism agenda that will strengthen the American economy and at the same time preserve the natural and cultural assets that make the United States unique. **UL**

**EDWARD T. McMAHON** is a ULI senior resident fellow and the Charles Fraser Chair for Environmental Policy.



Promoting tourism means protecting authentic destinations, such as Telluride, Colorado.

fact, it is hard for people to spend money when they are in a car, so getting tourists out of their cars is a key to sustainable tourism and increased business. The best way to get people out of their cars is to create places where people can safely walk and bike in attractive settings. The Embarcadero in San Francisco, the Inner Harbor in Baltimore, Beale Street in Memphis, and the River Walk in San Antonio are all destinations that demonstrate how walkability increases profitability.

**9. Link sites.** Though very few rural communities or small towns can attract out-of-state or international visitors on their own, linked with other communities, they can

(386 km) from Machesn near St. Louis to Clinton in western Missouri—is considered one of the best rail trails in the country. This multipurpose trail has brought thousands of tourists and new life to an economically distressed part of the state. Similarly, the Journey through Hallowed Ground Heritage Area in Maryland and Virginia has provided a framework for promoting and interpreting nine presidential homes, numerous Civil War sites, more than 30 historic Main Street communities, and numerous other historic and natural attractions.

**10. Recognize that tourism has limits and must be managed.** Savvy communities always ask how many tourists are too many. Tourism development that exceeds the carrying capacity of an ecosystem or that fails to respect a community’s sense of place will result in resentment by local



*Draft: May 19, 2026, City Council Meeting*

45 **CHAPTER 20**  
46 **LEWES RESILIENCY FUND**

47 **ARTICLE I**  
48 **GENERAL PROVISIONS**

51  
52 **§ 20-1. Establishment.**

53  
54 The Mayor and City Council shall establish and maintain a dedicated fund to be known as the  
55 “Lewes Resiliency Fund” (the “Fund”).

56  
57 **§ 20-2. Purpose.**

58  
59 The purpose of the Fund shall be to enhance the City's ability to withstand and adapt to  
60 environmental challenges and to facilitate recovery from weather events inherent to a coastal  
61 community.

62  
63 **§ 20-3. LRF Guidelines.**

64  
65 The mission, goals, objectives, funding principles, and guardrails of the Fund shall be as set forth  
66 in the LRF Guidelines adopted by Resolution of the Mayor and City Council on May 12, 2025,  
67 as may be amended from time to time by resolution.

68  
69 **§ 20-4. Permitted Uses.**

70  
71 Moneys deposited into the Fund shall be used exclusively for resiliency mitigation, prevention,  
72 response, and post-disaster activities. The Fund shall not be used for routine or ongoing City  
73 operations.

74  
75 **§ 20-5. Funding Mechanisms.**

76  
77 The Mayor and City Council may, by resolution, establish and amend a funding formula or other  
78 mechanism for deposits into the Fund.

79  
80 **§ 20-6. Restrictions.**

81  
82 The Fund shall be used solely for the purposes set forth in this Chapter and in the LRF  
83 Guidelines. The Fund shall not be used to finance unrelated City obligations. No funds shall be  
84 expended from the Fund, nor shall the Fund be reallocated, transferred, or abolished, except by  
85 the affirmative vote of at least four (4) of the five (5) members of the City Council.

86  
87

*Draft: May 19, 2026, City Council Meeting*

88 § 20-7. **Budget Integration.**

89  
90 The City Manager shall include the Lewes Resiliency Fund in the annual draft City budget. Such  
91 inclusion shall not obligate the Mayor and City Council to appropriate or deposit any funds into  
92 the Fund in any fiscal year.

93  
94  
95 § 20-8. **Emergency Actions.**

96  
97 Use of Fund moneys in emergency circumstances shall be governed by applicable City  
98 Emergency Management authorities and shall be subject to review by the Mayor and City  
99 Council.

100  
101 § 20-9. **No Debt Created.**

102  
103 The establishment and maintenance of the Fund shall not constitute or create municipal debt or  
104 any borrowing obligation of the City.

105  
106  
107 **Section 2.** If any provision of this Ordinance shall be deemed or held to be invalid or  
108 unenforceable for any reason whatsoever, such invalidity or unenforceability shall not affect any  
109 other provision of this Ordinance which may be given effect without such invalid or  
110 unenforceable provision, and to this end, the provisions of this Ordinance are hereby declared to  
111 be severable.

112  
113  
114 **Section 3.** This Ordinance shall take effect immediately upon its adoption by the  
115 Mayor and City Council.

116  
117  
118 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
119 foregoing is a true and correct copy of the ordinance passed by Mayor and City Council at its  
120 regular meeting on \_\_\_\_\_, at which a quorum was present and voting throughout  
121 and the same is still in full force and effect.

122  
123  
124  
125 \_\_\_\_\_  
126 Secretary

127 SYNOPSIS: This Ordinance amends the Municipal Code of the city of Lewes creating a new  
128 Chapter 20, "Lewes Resiliency Fund" consistent with a Resolution adopted by the Mayor and  
129 City Council on May 12, 2025. The Lewes Resiliency Fund is a dedicated municipal fund  
130 intended to support economic and environmental resiliency, mitigation, prevention, response, and

*Draft: May 19, 2026, City Council Meeting*

131 recovery efforts. Ordinance incorporates by reference to the missions, goals, and guardrails set  
132 forth in the LRF Guidelines, restricts the use of funds for non-resiliency purposes, and provides  
133 for administration, funding, and budgeting of the Fund through resolution and standard City  
134 financial procedures.

DRAFT

Date of Filing of Decision: \_\_\_\_\_

**BEFORE THE BOARD OF ADJUSTMENT OF THE CITY OF LEWES**

<b>IN RE: 100 &amp; 102 CEDAR STREET LEWES, DELAWARE APPLICATION OF: COLLEEN POWERS &amp; SHARY ADAMS DAVID SIERADZKI &amp; EMILY NOVICK</b>
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**APPLICATION: V-4-26****DECISION OF THE BOARD**

The City of Lewes Board of Adjustment (the “Board”) convened on March 17, 2026, to consider the variance request of Colleen Powers and Shary Adams, and the request of David Sieradzki and Emily Novick (collectively, the “Applicants”), the owners, respectively, of 100 Cedar Street (SCTP 335-4.20-163.00-1) and 102 Cedar Street (SCTP 335-4.20-163.00-2), Lewes, Delaware (collectively, the “Property”). The Applicants are requesting several variances in order to subdivide the Property into two separate lots. Participating were Board Members Richard Grier-Reynolds, Denise Emery, Calvin Jaber, Ron Krajewski, and William Sharkey, along with Barrett Edwards, Esq., Board Attorney, Town Clerk Ashley Akgoren, and Building Official Jon Ward.

**BACKGROUND**

The Property is located in the Residential Beach (R-3) zoning district, as described in Chapter 197 of the Municipal Code of the City of Lewes (the “Zoning Code”) and on the City’s Official Zoning Map. As detailed in § 197 Attachments 2:1 and 2:2 of the Zoning Code and the Application, the minimum standards and the requested variances are as follows:

**Table 1. Requested Variances**

Dimensional Requirement	Minimum dimension for R-3 zone	Proposed dimension for 100 Cedar Street	Proposed dimension for 102 Cedar Street
Lot area	5,000 sq. ft.	2,080 sq. ft.	2,274 sq. ft.
Street frontage	50 feet	40.7 feet	Compliant
Front yard setback	25 feet	0.8 feet	5.3 feet
Side yard setback	8 feet	6.1 feet	Compliant
Rear yard setback	15 feet	10.2 feet	5.4 feet
Lot coverage (lot)	60%	68.4%	84%
Lot coverage (house)	50%	Compliant	Compliant

**EVIDENCE PRESENTED**

Ashley Akgoren was sworn in and testified that the variance hearing was duly noticed in accordance with the Zoning Code.<sup>1</sup> Building Official Jon Ward was sworn in and testified that the

<sup>1</sup> Notices for the March 17, 2026 hearing were posted on the property on February 20, 2026, published in the Cape Gazette on February 27, 2026, posted at City Hall on February 20, 2026, and mailed to neighboring property owners on February 20, 2026.

variances were being requested as part of a proposed minor subdivision that would create two lots from the existing single lot, thereby allowing the two single family dwellings situated on the Property to be on separate parcels. Mr. Ward testified that he did not believe granting these variances would create a negative precedent. The Applicants are seeking the variances outlined in Table 1 herein in order to subdivide the Property.

David Sieradzki was sworn in and testified that they purchased the house in 2021. In speaking with the neighboring property owners, no one opposes the application, particularly because no physical change to the property would occur as a result of the approval. The reason for the application was because the condominium structure had been challenging to deal with. In applying for a mortgage to purchase their property, their mortgage company wanted to work with the condominium board, which did not (and still does not) exist. Their insurance company requires them to have “walls out” insurance as a condominium, which is not needed given the nature of the dwellings on the Property. Consequently, they are unnecessarily spending just under \$4,000 a year for condominium insurance. He testified that real estate websites confuse the properties and the situation, all of which contributes to depressed real estate values for the Property.

Mr. Sieradzki further testified that the variances were necessary to accomplish the minor subdivision, and the resulting lots would not be markedly different from lots in the area. Mr. Sieradzki testified that they have no plans to structurally change their dwelling, and they plan to maintain the status quo if the variances and subdivision were ultimately approved. In response to questions from the Board, he testified that the condominium documents were filed around 2020, and he felt the condominium structure was established in order sell one of the structures.

Colleen Powers was sworn in and testified that they purchased their property in 2023, and have continuously resided there since that time. They were surprised to learn that they would have to have a separate condominium insurance policy, and the condominium structure has created financials issues. If the subdivision is approved, they do not plan on making any changes other than what would be permitted by the Zoning Code.

The staff report and application materials were entered into the record as Exhibit A. One email received in opposition to the application was entered into the record as Exhibit B. The condominium documents were entered into the record as Exhibit C.

## **LEGAL STANDARDS**

Section 197-19(C)(3) of the Zoning Code provides that the Board may “authorize variance[s] from the strict application of the provisions of [the Zoning Code] as authorized in 22 *Del. C.* § 327(a)(3) and in accordance with § 197-92 of [the Zoning Code].” Section 327(a)(3) of Title 22 of the Delaware Code provides that the Board may:

Authorize, in specific cases, such variance from any zoning ordinance, code or regulation that will not be contrary to the public interest, where, owing to special conditions or exceptional situations, a literal interpretation of any zoning ordinances, code or regulation will result in unnecessary hardship or exceptional practical difficulties to the owner of property so that the spirit of the ordinance,

code or regulation shall be observed and substantial justice done, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of any zoning ordinance, code, regulation or map . . . .

In order to grant area variances,<sup>2</sup> the Board must find that exceptional practical difficulties exist.<sup>3</sup> An exceptional practical difficulty exists “where the requested dimensional change is minimal and the harm to the applicant if the variance is denied will be greater than the probable effect on the neighboring properties if the variance is granted.”<sup>4</sup> The City Code identifies the following factors to weigh when making an exceptional practical difficulty determination: “(1) Nature of the zone where the property lies[;] (2) Character of the immediate vicinity[;] (3) Whether the restrictions, if lifted, would affect neighboring properties and uses[; and] (4) Whether the restriction would tend to create a hardship on the owner in relation to normal improvements.”<sup>5</sup>

Additionally, the Board must consider the following: “(1) The variance relates to a specific parcel of land, and the hardship is not shared generally by other properties in the same zoning district and vicinity[;] (2) The variance can be granted without substantial detriment to the public good[;] (3) The benefits from granting the variance would substantially outweigh any detriment[; and] (4) Approval of the variance would not substantially impair the intent and purposes of the Comprehensive Plan or [the Zoning Code].”<sup>6</sup>

## CONCLUSIONS

By a vote of five yeas and zero nays, the Board concludes that the Applicants have met the standards necessary to demonstrate an exceptional practical difficulty in order to warrant the granting of the variances identified in Table 1 herein, as further detailed in the variance application. The Board concludes that an exceptional practical difficulty exists due to the fact that the two single family dwellings situated on the Property do not operate as a condominium, do not have the characteristics of a condominium, and do not really enjoy the benefits of the condominium structure of ownership. Meanwhile, the condominium structure causes difficulty with financing and insurance and causes practical issues associated with differentiating between the two structures.

The nature of the zone and the character of the immediate vicinity near the parcel is residential. The Board finds that granting the variances will have minimal impact on the neighboring area since the layout of the structures on the Property will not change as a result of granting the variances. Consequently, granting the variances will cause no substantial detriment to the public good. The Board finds that the benefits to the Applicants from receiving the variances

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<sup>2</sup> Area variances address parcel characteristics such as “height, size or extent of lot coverage, size of the buildings, placement of the building on the site or other restrictions relating to the physical characteristics of the site.” *Wawa, Inc. v. New Castle County Bd. of Adjustment*, 929 A.2d 822, 830-31 (Del. Super. Ct. 2005). There is no dispute in the record that area variances (and not use variances) are being requested.

<sup>3</sup> *Bd. of Adjustment v. Kwik-Check Realty, Inc.*, Del. Supr. 389 A.2d 1289, 1291 (1978).

<sup>4</sup> *Id.* at 1291.

<sup>5</sup> City of Lewes Code, §§ 197-92(C)(1) – (4); *City of Lewes v. Nepa*, Del. Supr. 212 A.3d 270, 277 (2019).

<sup>6</sup> City of Lewes Code, §§ 197-92(B)(1) – (4).

will substantially outweigh any minimal impact on the neighboring properties, and denying the variances would create a substantial hardship for the Applicants. Lastly, the variances will not substantially impair the intent or purpose of the Comprehensive Plan or Zoning Code.

In sum, the Board concludes that due to the detriment to the Applicants that they would continue to incur if the variances were not granted, there are special conditions or exceptional situations associated with the Property resulting in exceptional practical difficulties, and the harm to the Applicants from denying the variances would outweigh any effects on the neighboring properties as a result of the variances being granted. The Board concludes that the Applicants have satisfied the elements required under the exceptional practical difficulty standard and the requirements set forth in the Zoning Code for granting the variances.

### DECISION

Based upon the foregoing and the evidence presented to the Board, it is the decision of the Board of Adjustment of the City of Lewes to **GRANT** the Applicants' request for those variances identified in Table 1 herein, as further detailed in the variance application. This decision shall not be interpreted in a way that would allow for the expansion of the existing structures in a way that would increase the encroachments that currently exist on the Property, and those encroachments that will exist with the completion of the minor subdivision, without additional variances being granted for any increased encroachments.

#### BOARD OF ADJUSTMENT OF THE CITY OF LEWES

BY: \_\_\_\_\_  
Richard Grier-Reynolds, Chairperson

BY: \_\_\_\_\_  
Ron Krajewski, Vice Chairperson

BY: \_\_\_\_\_  
Denise Emery, Secretary

BY: \_\_\_\_\_  
Calvin Jaber, Member

BY: \_\_\_\_\_  
William Sharkey, Member

Colleen Powers and Shary Adams  
100 Cedar St., Lewes DE 19958

David Sieradzki and Emily Novick  
102 Cedar St., Lewes, DE 19958  
(Mailing address: 4101 Albemarle St NW, Apt. 452,  
Washington DC 20016)

February 9, 2026

Ellen Lorraine McCabe, City Manager  
Jon Ward, Building Official  
City of Lewes  
114 E. Third St.  
Lewes, DE 19958

RE: Application for Minor Subdivision and Related Variances – 100 Cedar St. and 102 Cedar St.

Dear Ms. McCabe and Mr. Ward,

We are applying for (1) a minor subdivision of the property located at 100 Cedar St. and 102 Cedar St. into two single-family lots, and (2) variances of certain dimensional requirements that apply to the Residential Beach (R-3) zone. We respectfully request that the Board of Adjustment consider the requested variances at its March 3, 2026 meeting; that the Planning Commission consider the minor subdivision soon thereafter (if possible, at its March 18, 2026 meeting); and that the Mayor and City Council approve the applications at their earliest opportunity.

We are attaching a description of the proposed subdivision plan and variances, which explains the justification for our requests and shows how they satisfy the applicable criteria. We are also attaching a copy of the property survey and subdivision plan (the original and hard copies will be delivered separately); the property owner authorization letter; and the minor subdivision application form. The lots front on an existing public street, and therefore no separate letter from the Lewes Board of Public Works (BPW) is necessary to support the minor subdivision application; but we are attaching copies of recent BPW bills demonstrating that BPW is already providing utility service to the two proposed subdivided lots. We are also sending these documents by certified mail to the owners of neighboring properties, and we will submit the receipts for these mailings under separate cover. We will contact the city to pay the fees for each application via credit card.

Thank you for your assistance. Please contact Mr. Sieradzki at 202-641-8847 if you have any questions or need any additional information regarding this application.

Respectfully submitted,

  
\_\_\_\_\_  
Colleen Powers

  
\_\_\_\_\_  
Shary Adams

  
\_\_\_\_\_  
David Sieradzki

  
\_\_\_\_\_  
Emily Novick

**Nature of Request:**

The applicants are applying for a minor subdivision of the lot located at 100 Cedar Street and 102 Cedar Street (Lewes Beach, Block Z, Lot 1 – near the intersection of Cedar Street and Midland Avenue), together with zoning variances necessary to implement the minor subdivision. The existing lot currently contains two separate, free-standing residential houses; the applicants propose to divide it into two separate lots with one existing house on each lot. The proposed minor subdivision and variances would not entail any new construction and would involve no modification of existing structures, no excavation, and no land use changes. Rather, the Applicants simply seek to redraw the property lines to align with the reality of how the property is owned and used.

The lot is currently titled as a two-unit “102 Cedar Street Condominium.” Unit 1 of the condominium (Tax Parcel # 335-4.20-163.00-1) consists of a single-story house (postal address: 100 Cedar St.) with attached garage and surrounding land, and is owned by applicants Colleen Powers and Shary Adams. Unit 2 of the condominium (Tax Parcel # 335-4.20-163.00-2) consists of a 3-story house (postal address: 102 Cedar St.) and surrounding land, and is owned by applicants David Sieradzki and Emily Novick.<sup>1</sup> The proposed minor subdivision would divide the existing lot into two separate lots, each corresponding to one of the Units of the preexisting condominium. This minor subdivision would enable the owners to eliminate the nominal condominium association, which serves no real purpose but complicates the property ownership structure and imposes needless costs and inconvenience.

The proposed minor subdivision will necessitate variances of certain of the dimensional requirements that apply in the Residential Beach (R-3) zone:

Dimension	Minimum required for R-3 Zone	Proposed 100 Cedar St. lot	Proposed 102 Cedar St. lot
Lot area	5,000 sq. ft.	2080 sq. ft.	2,274 sq. ft.
Street frontage	50 feet	40.7 feet	54 feet x 50 feet
Front yard setback	25 feet	0.8 foot	5.3 feet
Side yard setback	8 feet	6.1 feet	10.4 feet
Rear yard setback	15 feet	10.2 feet	5.4 feet
Lot coverage (lot)	60%	68.4%	84.0%
Lot coverage (house)	50%	26.6%	47.7%

**Criteria #1: The variance relates to a specific parcel of lands, and the hardship is not shared generally by other properties in the same zoning district and vicinity.**

The hardship that creates the need for the requested variances is unique to the specific lot at issue. This is the only single lot in the vicinity that contains two free-standing residential houses, each owned by a separate owner. Unlike other condominiums in the area, the properties at issue here have none of the characteristics of a true condominium. The two houses are entirely separate and free-standing; they do not touch each other (they are more than 16 feet apart) and have no shared walls, structures, utility lines, or commonly-owned property. The Lewes Board of Public Works has

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<sup>1</sup> Specifically, Unit 2 is owned by the David L. Sieradzki Revocable Trust (David L. Sieradzki, Trustee) and the Emily R. Novick Revocable Trust (Emily R. Novick, Trustee).

deployed separate utility lines (electric, water, and sewer) and provides service separately to each house, and it sends separate bills to the respective owners of each (see attached utility bills).

**Criteria #2: The variance can be granted without substantial detriment to the public good.**

The variances would have no detrimental impact on nearby properties or on the community as a whole, because they would not entail any new construction. They would simply enable the owners of the two separate units to redraw the property lines so that each of their homes would be on their own separate lots. Moreover, the two resulting lots, although smaller than the minimum lot size in the R-3 zoning district, would not be out of character with the surrounding neighborhood, since other nearby lots have similar sizes. For example, three neighboring lots are comparable sizes: 14 Cedar St. (2,255 sq. ft.), 113 Cedar St. (2,400 sq. ft.), and 115 Cedar St. (2,300 sq. ft.).<sup>2</sup> These precedents illustrate the reasonableness of the requested variance.

**Criteria #3: The benefits from granting the variance would substantially outweigh any detriment to the public good.**

The requested variances would facilitate the proposed minor subdivision, which will enable the owners to eliminate the nominal condominium association, which serves no real purpose, but complicates the property ownership structure and imposes needless costs and inconvenience. As described above, the properties at issue here are not contiguous and have none of the characteristics of a true condominium. Moreover, the “102 Cedar Street Condominium Association” is a legal fiction that exists in no context other than the property ownership records. It does not provide any services or collect any maintenance fees from the unit owners; it has no corporate board or officers; and it does not manage any commonly-owned facilities or property because no such common elements exist.

At the same time, the artificial condominium form of ownership imposes unnecessary costs and exceptional practical difficulties on the property owners. In the applicants’ experience, the condominium ownership structure has been highly confusing to mortgage lenders, which may complicate efforts to obtain home loans in some instances. The inapt characterization of the properties as a condominium also confuses insurance companies and effectively forces the owners to pay hundreds of dollars each year for an unnecessary “walls-out” property insurance policy, even though the two houses do not share any common walls. Moreover, the condominium arrangement confuses real estate valuation websites such as Zillow and Realtor.com, and as a result those sites show property value estimates that are wholly disconnected from the actual market value of the properties. Occasionally even common geolocation apps like Google Maps are confused by the arrangement; they don’t understand why two different postal addresses are associated with a single real estate lot. As a result, visitors, contractors, and delivery crews sometimes find it difficult to locate the correct house.

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<sup>2</sup> See the attached map of the neighborhood showing the boundaries of neighboring lots. 14 Cedar St. is indicated with a green circle; 113 Cedar St. and 115 Cedar St. are indicated with a blue circle; and the existing lot consisting of 100 Cedar St. and 102 Cedar St. is outlined with yellow highlighting, with a red line showing the proposed boundary between the subdivided lots.

The proposed minor subdivision would enable the owners to avoid these costs and inconveniences by dissolving the condominium. Instead, the owners of each unit would independently own their own properties on their own lots. The City's existing 99-year land lease to the condominium association would be replaced by separate land leases to the owners of each of the separate units. This change would benefit the owners of neighboring properties as well, because it would remove an anomaly that might depress the value of homes throughout the neighborhood, and this benefit could be realized without any new construction.

**Criteria #4: Approval of the variance would not substantially impair the intent and purposes of the Comprehensive Plan or this chapter.**

The 2015 Comprehensive Plan, the 2022 addendum to that plan, and the zoning ordinance of the City of Lewes are intended to guide future growth and development, encourage appropriate uses of public resources and infrastructure, and protect open space, environmentally-sensitive areas, historical and cultural resources, and health and safety.<sup>3</sup> Approval of the requested variances would not impair these purposes or other public policy objectives because these variances and the proposed minor subdivision would not result in any changes to the status quo. They would not authorize any further growth, development, or changes to the existing physical structures or uses of the property. Thus, they would have no real-world impact on the surrounding community.

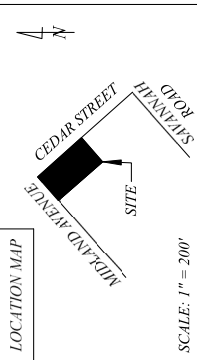
**Additional Considerations: Please describe how the following criterion from Section 197-92(C) of the Zoning Code support the application.**

- **Nature of the zone where the property lies and character of the immediate vicinity:**  
The proposed minor subdivision and associated variances would not impact the character of the immediate neighborhood or the Residential Beach zone (R-3) because they would not give rise to any new development or construction in the area. As noted above, there are several other properties in the immediate vicinity with similar dimensions.
- **Whether the restrictions, if lifted, would affect neighboring properties and uses:**  
Lifting the dimensional restrictions to the extent requested would have no impact on neighboring properties and uses, because it would not result in any changes to the existing structures or uses of the property.
- **Whether the restriction would tend to create a hardship on the owner in relation to normal improvements:**  
The requested variances are needed to enable implementation of the minor subdivision. Without the minor subdivision, the owners of the two units would be compelled to retain the artificial condominium form of property ownership, which, as described above, imposes exceptional practical difficulties and costs, while generating no offsetting benefits.

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<sup>3</sup> The City of Lewes zoning ordinance states that its purposes are to “lessen congestion in the streets; secure safety from fire, panic and other dangers; promote health and the general welfare; provide adequate light and air; prevent the overcrowding of land; avoid undue concentration of population; and facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements,” as well as to protect the city's core values and maintain its special characteristics. City of Lewes Municipal Code, Chapt. 197, § 197-3.

- **Use variances not authorized.** No changes in the use of the properties are requested, and none are anticipated.
- **Nonconforming situations not grounds for variance.** The variances are not being requested to address any characteristics of the existing lot or its conformity with the zoning ordinance. Rather, they are requested in connection with the new, smaller lots that would result from the proposed minor subdivision.



LOCATION MAP  
SCALE: 1" = 200'

SEAN PINCUS & CATHERINE STIER (LOT 3)  
TAX PARCEL #335-4,20-165.00

ZONING - RESIDENTIAL BEACH (R-3)

EXISTING PARCEL AREA: 4,834 SQ. FT.

PROPOSED PARCEL AREAS:  
UNIT 1 - 2,080 SQ. FT. ±  
UNIT 2 - 2,274 SQ. FT. ±

MAXIMUM ALLOWABLE LOT COVERAGE:  
TOTAL LOT COVERAGE - 60%  
HOUSE LOT COVERAGE - 50%

FLOODPLAIN:  
PER FIRM MAP #10005C0194K, MARCH 16, 2015,  
THE PROPERTY IS LOCATED WITHIN FLOODPLAIN  
ZONE AE (BASE FLOOD ELEVATIONS 7 AND 8).

SETBACKS:  
FRONT - 25'  
SIDE - 8'  
REAR - 15'

PROPERTY OWNERS:  
UNIT 1  
COLLEEN M. POWERS  
SHARY R. ADAMS  
100 CEDAR STREET  
LEWES, DE 19958

UNIT 2  
DAVID L. SIERADZKI, TRUSTEE  
EMILY R. NOFICK, TRUSTEE  
4101 ALBEMARLE STREET NW  
WASHINGTON, DC 20016

MINOR SUBDIVISION PLAN  
LOT 1 - BLOCK Z  
LEWES BEACH

CITY OF LEWES  
SUSSEX COUNTY, DELAWARE

RICHARD K. VETTER, P.E.  
307 BARRY DRIVE  
LEWES, DE 19958  
RVETTER@COMCAST.NET  
302-359-0153

SCALE: 1" = 10'  
02.05.2016

Page 15 of 130

LOT COVERAGE  
UNIT 1  
HOUSE - 554 SQ. FT. (26.6%)  
LOT - 1,423 SQ. FT. (68.4%)

UNIT 2  
HOUSE - 1,078 SQ. FT. (47.7%)  
LOT - 1,911 SQ. FT. (64.0%)

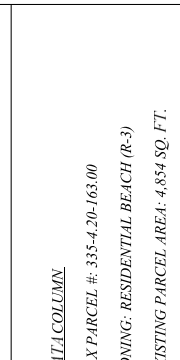
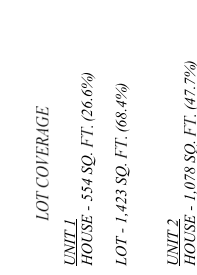
OWNER'S CERTIFICATION:  
WE HEREBY CERTIFY THAT WE ARE THE LEGAL OWNERS OF THE PROPERTY DESCRIBED AND SHOWN ON THIS PLAN. THAT THE PLAN WAS MADE AT OUR  
DIRECTION, AND THAT WE ACKNOWLEDGE THE SAME TO BE OUR ACT AND DESIRE THE PLAN TO BE RECORDED ACCORDING TO THE LAW.

DAVID L. SIERADZKI  
EMILY R. NOFICK  
COLLEEN M. POWERS  
SHARY R. ADAMS

ENGINEER'S CERTIFICATION:  
I CERTIFY THAT I AM A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF DELAWARE AND THAT THE INFORMATION SHOWN HEREON HAS BEEN  
PREPARED UNDER MY SUPERVISION AND TO MY BEST KNOWLEDGE AND BELIEF REPRESENTS GOOD ENGINEERING PRACTICES AS REQUIRED BY THE  
APPLICABLE LAWS OF THE STATE OF DELAWARE.

RICHARD K. VETTER, P.E. #0329  
CITY OF LEWES CERTIFICATION:  
IT HEREBY IS CERTIFIED THAT THIS PLAN WAS APPROVED ON \_\_\_\_\_ AND ACCORDINGLY IS ELIGIBLE FOR RECORDING IN THE  
OFFICE OF THE RECORDER OF DEEDS IN SUSSEX COUNTY, DELAWARE.

CITY OF LEWES  
DATE \_\_\_\_\_



LOCATION MAP  
SCALE: 1" = 200'

SEAN PINCUS & CATHERINE STIER (LOT 3)  
TAX PARCEL #335-4,20-165.00

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EXISTING PARCEL AREA: 4,834 SQ. FT.

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UNIT 1 - 2,080 SQ. FT. ±  
UNIT 2 - 2,274 SQ. FT. ±

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TOTAL LOT COVERAGE - 60%  
HOUSE LOT COVERAGE - 50%

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THE PROPERTY IS LOCATED WITHIN FLOODPLAIN  
ZONE AE (BASE FLOOD ELEVATIONS 7 AND 8).

SETBACKS:  
FRONT - 25'  
SIDE - 8'  
REAR - 15'

PROPERTY OWNERS:  
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COLLEEN M. POWERS  
SHARY R. ADAMS  
100 CEDAR STREET  
LEWES, DE 19958

UNIT 2  
DAVID L. SIERADZKI, TRUSTEE  
EMILY R. NOFICK, TRUSTEE  
4101 ALBEMARLE STREET NW  
WASHINGTON, DC 20016

MINOR SUBDIVISION PLAN  
LOT 1 - BLOCK Z  
LEWES BEACH

CITY OF LEWES  
SUSSEX COUNTY, DELAWARE

RICHARD K. VETTER, P.E.  
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LEWES, DE 19958  
RVETTER@COMCAST.NET  
302-359-0153

SCALE: 1" = 10'  
02.05.2016

Page 15 of 130

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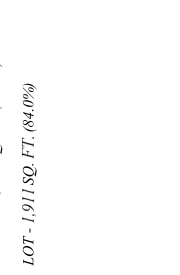
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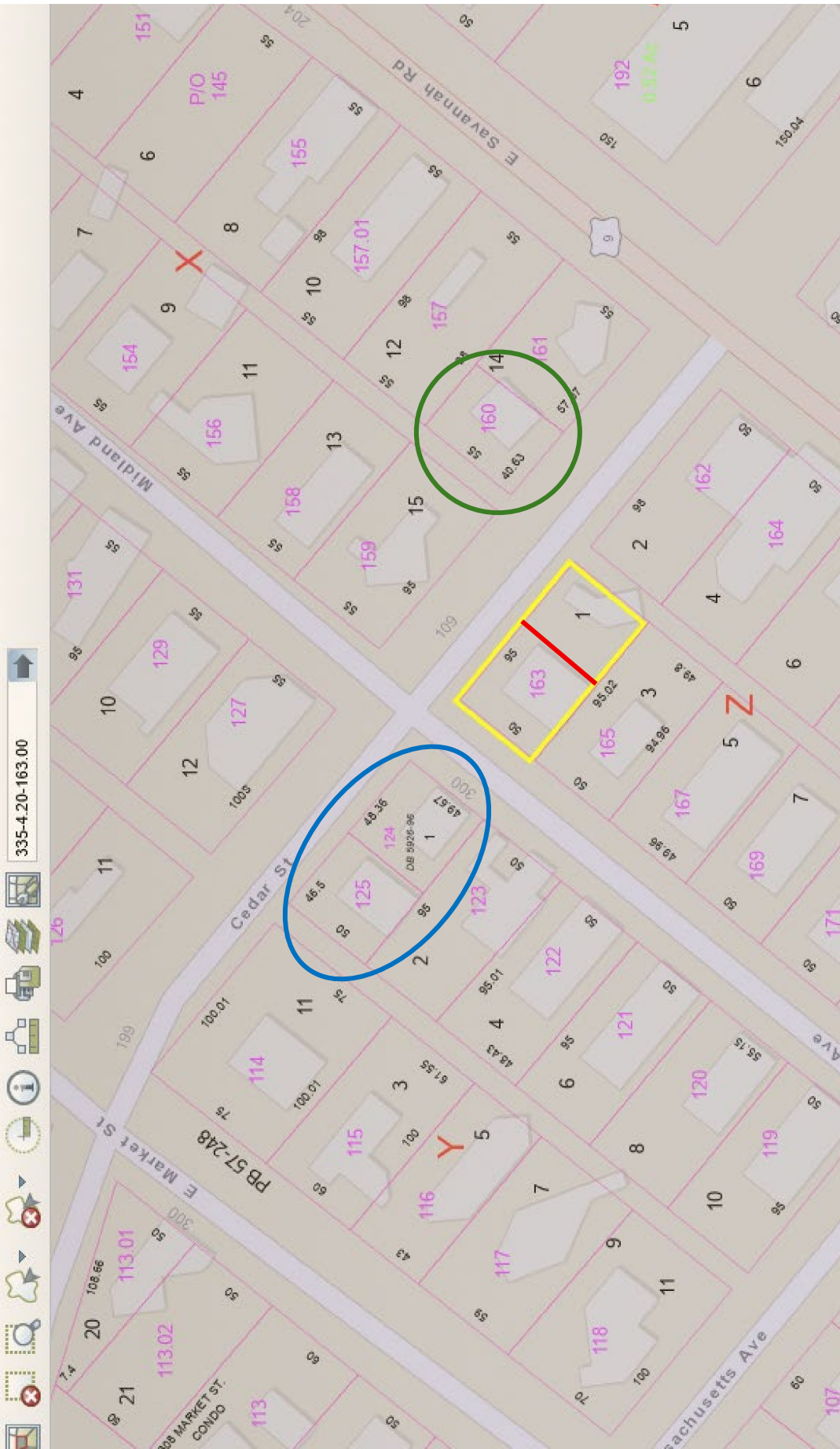
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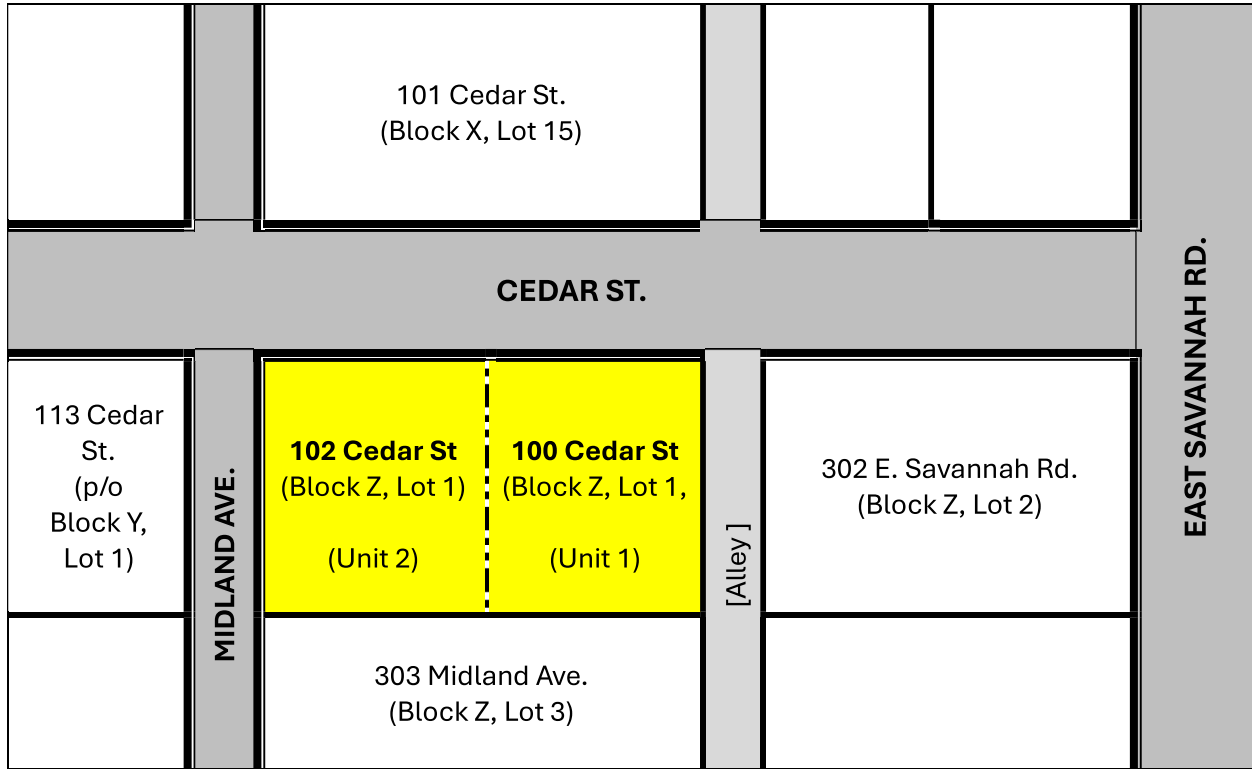
RICHARD K. VETTER, P.E. #0329  
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IT HEREBY IS CERTIFIED THAT THIS PLAN WAS APPROVED ON \_\_\_\_\_ AND ACCORDINGLY IS ELIGIBLE FOR RECORDING IN THE  
OFFICE OF THE RECORDER OF DEEDS IN SUSSEX COUNTY, DELAWARE.

CITY OF LEWES  
DATE \_\_\_\_\_





**Owners of Adjacent Lots**



**101 Cedar St.:**

Jeffrey Ross & Lisa Osborne Ross  
 101 Cedar St.  
 Lewes, DE 19958

**113 Cedar St.:**

Rami Essaid & Sara Essaid  
 171 Blue Ribbon Ln  
 Grasonville, MD 21638

**303 Midland Ave.:**

Sean Pincus & Catherine Stier  
 24 Ocean Breeze Dr.  
 Rehoboth Beach, DE 19971

**302 E. Savannah Rd.:**

Stephen W. Ross & Annette S. Vedsegaard-Ross  
 2902 52nd St. S.  
 Gulfport, FL 33707

(Note: Map not drawn to scale)

**View of 100 Cedar St. (left) and 102 Cedar St. (right)**



(Source: Google Street View, June 2024)

Colleen Powers and Shary Adams  
100 Cedar St.  
Lewes, DE 19958

February 6, 2026

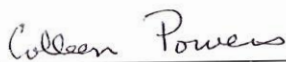
David Sieradzki  
4101 Albemarle St. NW, Apt. 452  
Washington DC 20016

RE: Applications for Minor Subdivision of 100 Cedar St./102 Cedar St. and related variances

Dear Mr. Sieradzki,

We authorize and consent to your acting on our behalf in connection with the applications referred to above.

We acknowledge that you are not a practicing attorney in Delaware, that you are not acting as our legal counsel or providing any legal representation, and that your actions on our behalf in connection with these applications do not constitute legal services.

  
\_\_\_\_\_  
Colleen Powers

  
\_\_\_\_\_  
Shary Adams



107 Franklin Ave  
Lewes DE 19958

Statement Date	02/03/2026
Account Number	5678638
Payment Due	02/27/2026

After Hours Emergency: 302-645-6228  
Office Hours: 8:00 am - 4:00 pm Monday - Friday  
Office Phone: 302-645-6228  
For utility information and online payment:  
<https://www.lewesbpwde.gov>  
Pay by Phone: 855-939-3671

Service Summary	
Previous Balance	\$121.00
Payments Received	Thank You -\$121.00
Balance Forward	\$0.00
Current Charges	\$305.37
<b>Total Due on 02/27/26</b>	<b>\$305.37</b>
<b>Bank Draft - Do Not Pay</b>	

2596 1 MB 0.672  
DAVID SIERADZKI  
EMILY NOVICK  
4101 ALBEMARLE ST NW APT 452  
WASHINGTON DC 20016-2159

5 2596  
C-6



**Service Location: 102 CEDAR STREET - UNIT 2**

Service	Meter #	Days	Service Dates		Meter Readings		Multiplier	Usage	Units
			From	To	Previous	Present			
Electrical - C	352362373	34	12/11/25	01/14/26	9575	11014	1	1439	kWh
Electrical - G	352362373	34	12/11/25	01/14/26	6928	7039	1	111	kWh
Electrical - N	352362373	34	12/11/25	01/14/26	0	1201	1	1328	kWh
Water	67535731	34	12/11/25	01/14/26	3201	3204	100	300	Gal
Sewer		34	12/11/25	01/14/26		240	1	240	Gal

**Message Center**  
Did you know Efficiency Smart's Resources page is packed with tips to help you save energy and money at home? Visit [www.energysmart.org/tips-for-homes](http://www.energysmart.org/tips-for-homes) for everthing from free ways to save energy to HVAC tips for the winter.

Prior Banked Usage: 127 kWh  
Current Banked Usage: 0 kWh

Current Service Detail	
Ready to Serve	\$21.00
Electric Usage	1201 kWh @ 0.134340 \$161.34
PCA	1201 kWh @ 0.017100 \$20.54
<b>Total Electric Charges</b>	<b>\$202.88</b>
Ready to Serve	\$25.50
Water Usage	300 Gal @ 0.002280 \$0.68
<b>Total Water Charges</b>	<b>\$26.18</b>
Ready to Serve	\$64.00
Sewer Usage (80% water usage)	240 Gal @ 0.007530 \$1.81
<b>Total Sewer Service Charges</b>	<b>\$65.81</b>
Storm Water Residential	\$10.50
<b>Total Storm Water Charges</b>	<b>\$10.50</b>
<b>Total Current Charges</b>	<b>\$305.37</b>

Return this portion with your payment



Account Number	5678638
Total Due on 02/27/2026	\$305.37
<b>Bank Draft - Do Not Pay</b>	

DAVID SIERADZKI  
EMILY NOVICK  
4101 ALBEMARLE ST NW, APT 452  
WASHINGTON DC 20016-0000

- YES, please sign me up for Round Up to round up my bill to the nearest \$1.00.
- I have added \$\_\_\_\_\_ to the amount of my payment for Round Up. (\$1.00 increments please)

Lewes Board of Public Works  
107 Franklin Ave  
Lewes DE 19958-1413



**Lewes BPW**  
electric, water and sewer utility

107 Franklin Ave  
Lewes DE 19958

After Hours Emergency: 302-645-6228  
Office Hours: 8:00 am - 4:00 pm Monday - Friday  
Office Phone: 302-645-6228  
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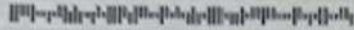
95 0 AV O. 593  
SHARY ADAMS  
COLLEEN POWERS  
100 CEDAR ST  
LEWES DE 19958-1102

5 95  
C-1

Page 1 of 2

Statement Date	11/03/2025
Account Number	5679689
Payment Due	11/27/2025

Service Summary	
Previous Balance	\$198.97
Payments Received	Thank You -\$198.97
Balance Forward	\$0.00
Current Charges	\$177.87
<b>Total Due on 11/27/25</b>	<b>\$177.87</b>
<b>Total Due After 11/27/25</b>	<b>\$180.54</b>



1342-0041

PAID

Service Location: 100 CEDAR STREET

Service	Meter #	Days	Service Dates		Meter Readings		Multiplier	Usage	Units
			From	To	Previous	Present			
Electrical	71876920	30	09/15/25	10/15/25	46578	46961	1	285	kWh
Water	35550612	30	09/15/25	10/15/25	1170	1187	100	1700	Gal
Sewer		30	09/15/25	10/15/25		1360	1	1360	Gal

Current Service Detail

Ready to Serve		\$21.00
Electric Usage	285 kWh @ 0.134340	\$38.29
PCA	285 kWh @ 0.015960	\$4.56
<b>Total Electric Charges</b>		<b>\$63.75</b>
Ready to Serve		\$25.50
Water Usage	1700 Gal @ 0.002280	\$3.86
<b>Total Water Charges</b>		<b>\$29.36</b>
Ready to Serve		\$64.00
Sewer Usage (80% water usage)	1360 Gal @ 0.007530	\$10.25
<b>Total Sewer Service Charges</b>		<b>\$74.24</b>
Storm Water Residential		\$10.50
<b>Total Storm Water Charges</b>		<b>\$10.50</b>
<b>Total Current Charges</b>		<b>\$177.87</b>

5/3/25

Return this portion with your payment

**Lewes BPW**  
electric, water and sewer utility

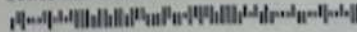
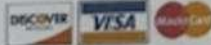
SHARY ADAMS  
COLLEEN POWERS  
100 CEDAR STREET  
LEWES DE 19958-0099

Account Number	5679689
<b>Total Due on 11/27/2025</b>	<b>\$177.87</b>
<b>Total Due after 11/27/2025</b>	<b>\$180.54</b>

- YES, please sign me up for Round Up to round up my bill to the nearest \$1.00.
- I have added \$\_\_\_\_\_ to the amount of my payment for Round Up. (\$1.00 increments please.)

Lewes Board of Public Works  
107 Franklin Ave  
Lewes DE 19958-1413

We accept:



092010005679689000017787000018054110320253

## City of Lewes

## Minor Subdivision Development; Combining of Lots Plan – Application Form

Please visit <https://ecode360.com/7033592> for more information about the review process.

PROJECT INFORMATION

Project Name: 100 Cedar St./102 Cedar St. Minor Subdivision  
 Project Location: 100 Cedar St. and 102 Cedar St. (near intersection with Midland Ave.)  
 Tax Map Reference(s): Parcels # 335-4.20-163.00-1 and 335-4.20-163.00-2  
 Submission Date: February 9, 2026  
 Date of Revision: n/a

PROPERTY OWNER(S) INFORMATION

Name(s): Colleen Powers & Shary Adams -and- David Sieradzki & Emily Novick  
 Address: 100 Cedar St., Lewes DE 19958 -and- (mailing): 4101 Albemarle St NW, Apt. 452, Washington DC 20016  
 Phone Number: (202) 951-8523 (Colleen Powers) -and- (202) 641-8847 (David Sieradzki)  
 Email: colleenpowers@me.com -and- David.L.Sieradzki@gmail.com

APPLICANT INFORMATION

Name: Colleen Powers & Shary Adams -and- David Sieradzki & Emily Novick  
 Address: 100 Cedar St., Lewes DE 19958 -and- (mailing): 4101 Albemarle St NW, Apt. 452, Washington DC 20016  
 Phone Number: (202) 951-8523 (Colleen Powers) -and- (202) 641-8847 (David Sieradzki)  
 Email: colleenpowers@me.com -and- David.L.Sieradzki@gmail.com

ENGINEER/SURVEYOR INFORMATION

Name: Richard K. Vetter, P.E. #10329  
 Address: 307 Bayberry Drive, Lewes DE 19958  
 Phone Number: (302) 359-0153  
 Email: rvetter4@comcast.net

PROJECT BACKGROUND

Project Type (please circle one) –

MINOR SUBDIVISION

COMBINATION OF LOTS

**Brief Project Description -**

Minor subdivision of existing single lot containing two independently-owned single-family homes into two separate lots with one home on each lot. No new construction or modification of existing structures. Please see attached description.

**APPLICANT AUTHORIZATION**

I hereby certify that the drawings and other materials that accompany this checklist have met the requirements of the checklist, and the accompanying electronic copy is an exact duplicate of the hard copy submission.

APPLICANT SIGNATURE David Aieradyki DATE 2/9/2026  
on behalf of self and  
co-applicants Colleen Powers, Shary Adams, Emily Novick

## Application Checklist

Complete Cover Sheet

Five copies of surveyor/engineer certified conceptual plat plans<sup>1</sup> as defined below (along with as many additional copies as required by the Building Official, *to be provided* including electronic versions) showing the following:

- o All lands to be subdivided or combined
- o Location of all existing improvements, with setbacks indicated
- o Existing and proposed boundary lines
- o Identification of wetlands (see §197-74) or statement affirming no wetlands are present from a qualified professional

Letter from the Board of Public Works certifying that utilities are existing and available for the proposed lots *not required (see cover letter)*

Letter of consent from the property owner, if applicant is different, giving permission for review and to be represented by the applicant

Letter of intent requesting Planning Commission review

Application Fee *submitted separately*

- o Residential: \$500 plus \$250 per dwelling unit over three
- o Non-Residential: \$500 plus \$250 per 5,000 square feet of non-residential land

Proof of notification by certified mail to surrounding property owners (*Reference [City of Lewes Code §170-14 A\(6\)](#) for more details.*) *to be provided*

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<sup>1</sup> CONCEPTUAL PLAT PLAN

A map, drawn to scale, describing a proposed subdivision, including but not limited to its topography, boundaries, setbacks, layout of lots, new and existing streets, easements, rights-of-way, open spaces, existing structures, names of owners of adjacent properties and utilities.

**RESOLUTION OF THE CITY OF LEWES PLANNING COMMISSION  
RECOMMENDING APPROVAL OF MINOR SUBDIVISION APPLICATION  
RELATED TO 100/102 CEDAR STREET**

**WHEREAS**, Colleen Powers, Shary Adams, David Sieradzki and Emily Novick (“Applicants”) filed an application (“Application”) with the City of Lewes (“City”) requesting approval for a minor subdivision into two separate lots of a single City lot located at 100-102 Cedar Street, in the R-3 Zoning District, and having Sussex County Tax Parcel Number designations 335-4.20-163.00-1 and 335-4.20-163.00-2 (the “Lot”);

**WHEREAS**, two separate, free-standing, single-family residential condominium units presently exist on the single City lot;

**WHEREAS**, the two units are organized as condominium units but have no shared walls, structures, utility lines or other common property;

**WHEREAS**, applicants Collen Powers and Shary Adams own the unit located at 100 Cedar Street;

**WHEREAS**, Applicants David Sieradzki and Emily Novick own the unit located at 102 Cedar Street;

**WHEREAS**, the two units are listed as separate tax parcels in the Sussex County tax database (SCTP 335-4.20-163.00-1 and SCTP 335-4.20-163.00-2);

**WHEREAS**, Applicants previously obtained from the Lewes Board of Adjustment (“BOA”) variances from the Zoning Code (which the LPC does not have the power to grant) regarding lot area, street frontage, setbacks and lot coverages;

**WHEREAS**, the BOA concluded unanimously that: (1) the two separate family dwellings do not operate as, have the characteristics of, or enjoy the benefits of, a condominium; (2) the condominium structure causes difficulty with financing, insurance and other practical

7. The proposed minor subdivision is consistent with the goals of assuring that sites are suitable for all development purposes and for providing for the harmonious development of the City.

\*\*\*\*\*

A motion to adopt the foregoing Resolution was approved by the LPC by a vote of 7 members in favor, 0 members against, and 1 member abstaining, on April 15, 2026.

Richard Innes-----  
Attest: Richard Innes, Chair, LPC  
April 20, 2026

Draft 5.01.26

1 **A RESOLUTION**

2 **AUTHORIZING THE CITY MANAGER TO APPLY FOR BROWNFIELDS GRANT**  
3 **FUNDING THROUGH THE STATE OF DELAWARE DEPARTMENT OF NATURAL**  
4 **RESOURCES AND ENVIRONMENTAL CONTROL HAZARDOUS SUBSTANCE**  
5 **CLEANUP ACT BROWNFIELDS PROGRAM FOR CERTAIN PROPERTY LOCATED**  
6 **AT 1137 SAVANNAH ROAD, LEWES, DELAWARE (*COMMONLY KNOWN AS THE***  
7 ***ARMY RESERVE CENTER*)**

8  
9 **WHEREAS**, the City of Lewes has identified certain real property consisting of

10 approximately 5.26 acres of land, including improvements thereon, located at 1137 Savannah  
11 Road, Lewes, Delaware, more particularly described as Sussex County Tax Map No. 335-8.15-  
12 8.00 (the “Property”), also known as an Army Reserve facility; and

13 **WHEREAS**, Section 8377(b) of the National Defense Authorization Act for Fiscal Year  
14 2023 (the “Act”) authorizes the Secretary of the Army to convey to the City, without  
15 consideration, all right, title, and interest of the United States in and to the Property, for the  
16 purpose of housing a new municipal campus for Lewes City Hall, a police station, and a board of  
17 public works; and

18 **WHEREAS**, nothing in this Resolution shall be construed as a decision by the City to  
19 accept title to the Property, to commit to any particular development plan for the Property, or to  
20 obligate the City to modify or alter any existing improvements on the Property; and

21 **WHEREAS**, the State of Delaware, through the Department of Natural Resources and  
22 Environmental Control (“DNREC”), Division of Waste & Hazardous Substances, Remediation  
23 Section, administers the Hazardous Substance Cleanup Act Brownfields Grant Funding Program  
24 (the “Brownfields Program”), which provides reimbursement or direct payment for reasonable  
25 environmental assessment, investigation, interim actions, and remedial action costs at certified  
26 brownfield sites; and

*Draft 5.01.26*

27           **WHEREAS**, the City, as a public entity, may be eligible for certain Brownfields  
28 Program funding; and

29           **WHEREAS**, participation in the Brownfields Program requires the City to submit an  
30 application to DNREC for brownfields certification and grant funding; and

31           **WHEREAS**, the Mayor and City Council find that pursuing environmental assessment  
32 and Brownfields Grant Funding for the Property is prudent and in the public interest, as it will  
33 assist the City in understanding the environmental condition of the Property; and

34           **WHEREAS**, the Mayor and City Council wish to authorize the City Manager to take all  
35 steps necessary to apply for and pursue such funding, while expressly preserving the Mayor and  
36 City Council's authority over any financial commitments, acceptance of title to the Property, and  
37 all decisions regarding the Property's future use or development.

38

39           **NOW THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City  
40 of Lewes, in session met, this 19th day of May, 2026, a quorum pertaining at all times thereto,  
41 that:

42           **1.** Certain real property consisting of approximately 5.26 acres of land, including  
43 improvements thereon, located at 1137 Savannah Road, Lewes, Delaware, more  
44 particularly described as Sussex County Tax Map No. 335-8.15-8.00, also known as  
45 an Army Reserve facility (the "Property"), may be eligible for participation in the  
46 Hazardous Substance Cleanup Act Brownfields Grant Funding Program.

47           **2.** Nothing in this Resolution shall be construed as:

48                   **a.** a decision by the City to accept title to the Property;

49                   **b.** a commitment to any particular development plan for the Property;

Draft 5.01.26

- 50 c. an obligation to modify or alter any existing improvements on the Property; or
- 51 d. any waiver of the Mayor and City Council’s authority to approve or reject any
- 52 other disposition of the Property.

53 All decisions regarding the Property other than as expressly provided for herein  
 54 remain subject to separate City Council review and approval.

55 **3.** The City Manager, or their designee, is hereby authorized to submit an application to  
 56 DNREC for Brownfields Certification and Grant Funding under the Hazardous  
 57 Substance Cleanup Act Brownfields Grant Funding Program, and to take actions  
 58 reasonably necessary to advance such application and facilitate the application  
 59 process.  
 60

61 **4.** Nothing in this Resolution shall obligate the City to any expenditure of funds,  
 62 including any required dollar-for-dollar matching expenditure.  
 63

64 I, Timothy Ritzert, Secretary of the City Council of the City of Lewes, do hereby certify that the  
 65 foregoing is a true and correct copy of the resolution passed by the affirmative vote of at least a  
 66 majority of the Mayor and City Council at its meeting on May 19, 2026, at which a quorum was  
 67 present and voting throughout and the same is still in full force and effect.

68  
 69  
 70 \_\_\_\_\_  
 71 Secretary of the City Council  
 72 of the City of Lewes

**DRAFT AS OF 5/14/2026**

Ordinance Review Ad Hoc Committee Mission Statement

The mission of the Ordinance Review Ad Hoc Committee is to conduct a comprehensive review of the Lewes City Code. The committee is charged with identifying and recommending revisions to the City Code, including reviewing and proposing amendments identified by the Mayor and City Council, city commissions, committees, and city staff. The purpose of this work is to reduce redundancy, resolve inconsistencies, and clarify language in order to create a code that is cohesive, accessible, and aligned with the City's values, priorities, and current needs.

The committee shall be reviewed annually by the Mayor and City Council each May, beginning in May 2027, to evaluate its contributions and determine whether continuation of the committee and its mission is warranted.

The current membership is:

Dennis Reardon, Chair

Barbara Curtis, Vice Chair

Julia Carey

Greg Cirillo

Bob Heffernan

Alan Roth