**From:** Smith, Melanie A. (DNREC)
**To:** DAQ.DNRECtory; Childears, Jennifer L (DNREC)
**Subject:** FW: Request for Zoning Classification Verification and Equipment Operation
**Date:** Wednesday, June 17, 2026 1:38:18 PM
**Attachments:** 20260615164435252.pdf
Ordinance 2511 for CU 2084.pdf

---

Jennifer,
This is for Middletown Materials, APC-2002/0738-OPERATION (SM)(A13) application.
Thank you.
Melanie

**From:** [redacted]
**Sent:** Wednesday, June 17, 2026 1:04 PM
**To:** Smith, Melanie A. (DNREC) <Melanie.Smith@delaware.gov>
**Subject:** Fwd: Request for Zoning Classification Verification and Equipment Operation

Good afternoon,

Attached please find the revised zoning approval.

[redacted]
Program Manager
RainWise Environmental Solutions, LLC.
302.423.8137
www.rainwiseenviro.com.
[redacted]

---------- Forwarded message ---------
From: **Planning and Zoning** <pandz@sussexcountyde.gov>
Date: Mon, Jun 15, 2026 at 4:45 PM
Subject: RE: Request for Zoning Classification Verification and Equipment Operation
To: [redacted]

Good Afternoon,

Please see attached.

Thank you,

Amy Hollis
Planning Technician
Sussex County Planning and Zoning

2 The Circle,
Georgetown, DE 19947
302-855-7878
Amy.Hollis@sussexcountyde.gov

---

**From:** [redacted]
**Sent:** Monday, June 8, 2026 3:03 PM
**To:** Planning and Zoning <pandz@sussexcountyde.gov>
**Subject:** Request for Zoning Classification Verification and Equipment Operation

**CAUTION:** This email originated from outside of the organization. Do not click links, open attachments, or reply unless you recognize the sender and know the content is safe. Contact the IT Helpdesk if you need assistance.

Good afternoon,

I am following up on my previous correspondence regarding a request for written verification of the current zoning designation and approved uses for the Adel Construction property located at 20139 Lowes Road Gumboro, DE 19966

Adel Construction is currently pursuing an air permit with DNREC for the operation of portable processing equipment that is utilized on a temporary, project-driven basis throughout the State of Delaware. As part of DNREC's permit review, Melanie Smith has requested written confirmation from Sussex County regarding the property's zoning classification and the permissibility of the proposed equipment under the site's existing approvals.

Accordingly, we respectfully request written verification of the following:

1. The current zoning classification of the property.
2. Confirmation that the operation of portable material processing equipment, including crushing, grinding, screening, conveying, and related activities, is permitted under the June 2017 Conditional Use approval and/or any other applicable Sussex County approvals associated with the property.

Specifically, Adel Construction is requesting confirmation that the following equipment may be operated at the facility on a temporary, project-driven basis:

• GCS-04 – Morbark Tub Grinder (650 hp)
• GCS-15 – Morbark Tub Grinder (750 hp)
• GCS-21 – Morbark Tub Grinder (1,200 hp)
• GCS-32 – McCloskey Impact Crusher
• GCS-33 – Edge Conveyor/Belt Feeder
• GCS-29 – McCloskey Screener
• GCS-18 – Terex Warrior 1800 Screener

The equipment would not be permanently installed and would be utilized intermittently as operational needs require.

DNREC has indicated that written confirmation from Sussex County is necessary to complete its review of the pending air permit application.

For your convenience, I have attached the completed Zoning Verification Request Form. Please let me know if any additional information is required to facilitate your review.

Thank you for your time and assistance. We appreciate your help and look forward to your response.

Sincerely,

[redacted]
Program Manager
RainWise Environmental Solutions, LLC.
302.423.8137
www.rainwiseenviro.com.
[redacted]

**PLANNING & ZONING**
Jamie Whitehouse, AICP ,MRTPI
Director
(302) 855-7878 T
(302) 854-5079 F

Sussex County
DELAWARE
sussexcountyde.gov

# Sussex County Zoning Verification

This form is to provide the current zoning for the following parcel of land located within Sussex County. This form does not grant approval for any current or future use of the property.

Tax Parcel Number: 333-14.00-23.00

Location: 20139 Lowes Road Gumboro, DE 19966 (Adel Construction)

Current Zoning: AR-1

Owner: (from assessment records):

Term 2, LLC

Owner Mailing Address (from assessment records):

10 Adel Dr.

Newark, DE 19958

The zoning for this property has been confirmed from the Official Sussex County Zoning Map by:

Amy Hale

Sussex County Planning & Zoning Staff Member

6-15-2026

Date

**Public Hearing/ CU 2083 (continued)**

**George Dick spoke in opposition to the proposed use. He stated that he lives across the road; that the Applicant has been hauling material to the property for a year; that he has concerns about noise and truck traffic; that no entrance has been applied for according to DelDOT; and that the use of the existing driveway for this use is dangerous.**

**There were no additional public comments and the Public Hearing was closed.**

**M 352 17 Defer Action on CU 2083**

**A Motion was made by Mr. Burton, seconded by Mr. Wilson, to defer action on Conditional Use No. 2083 filed on behalf of Richard H. Bell III.**

**Motion Adopted:** **5 Yeas.**

**Vote by Roll Call:** **Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea**

**Public Hearing/ CU 2084**

**A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RECYCLE CENTER AND WEIGHT SCALE OPERATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GUMBORO HUNDRED, SUSSEX COUNTY, CONTAINING 30.89 ACRES, MORE OR LESS" (Conditional Use No. 2084) filed on behalf of Term 2, LLC (Tax I.D. No. 333-14.00-23.00) (911 Address: 20139 Lowes Road, Millsboro).**

**The Planning and Zoning Commission held a Public Hearing on this application on June 22, 2017. On July 13, 2017, the Commission recommended approval with the following conditions:**

a. **The use shall be limited to a recycling center with a scale for concrete, asphalt, wood, soils and other similar materials. No food products, metals, sanitary wastes or liquids shall be accepted at the site.**
b. **Material acceptance and processing hours shall be limited to 7:00 a.m. through 7:00 p.m., Monday through Saturday.**
c. **There shall be a vegetated buffer of at least 50 feet from all boundaries of the site.**
d. **No material processing shall occur within 100 feet of County Road 427.**
e. **Water truck shall be available to control dust within the site.**
f. **One lighted sign shall be permitted. It shall not be greater than 32 square feet per side.**
g. **The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

**(See the minutes of the Planning and Zoning Commission dated June 22 and July 13, 2017.)**

**Public Hearing/ CU 2084 (continued)**

**Janelle Cornwell, Director of Planning and Zoning, reported on the Planning and Zoning Commission's public hearing and recommendation of approval.**

**It was noted that an Exhibit Book was previously provided by the Applicant.**

**The Council found that Dennis Schrader, Attorney, was present with Barry Baker, Principal of the Applicant; Mike Reimann with Becker Morgan Group; and Kyle Lampron with Ten Bears Environmental. They discussed the proposed use of the property as a recycle center and weight scale operation, the history of the parcel, surrounding properties including commercial uses, water and sewer availability, and site plan. They presented information on the entrances, stormwater management, the use of a mobile crusher, berming, and structures on the site. They also explained that the proposed use is to allow for the property to operate as a construction material recycle yard with associated warehouse, construction equipment storage, and office space. It was noted that no Traffic Impact Study was required by DelDOT.**

**The Applicant responded to Council's questions regarding the operation. He stated that that he does not sell crush; that there would be approximately 50 trips per day; that trucks can stack off of the roadway; and that it is a pre-existing use with no impact on neighbors.**

**Mr. Cole commented on the use of the site in the past as a borrow pit and the need for a reclamation plan. A discussion ensued on this matter.**

**There were no public comments and the Public Hearing was closed.**

**M 353 17 Amend Condition**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to amend the conditions recommended by the Planning and Zoning Commission with a new "g", as follows: "The Applicant shall comply with all DelDOT requirements."**

**Motion Adopted:** **5 Yeas.**

**Vote by Roll Call:** **Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea**

**M 354 17 Amend Condition**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to amend the conditions recommended by the Planning and Zoning Commission with a new "h", as follows: "Upon conclusion of the use of this Conditional Use, the site shall be reclaimed by planting trees and/or grass, and shall be noted on the Final Site Plan".**

**Motion Adopted:** **3 Yeas, 2 Nays.**

**M 354 17 (continued)**

**Vote by Roll Call:** **Mr. Arlett, Nay; Mr. Burton, Yea; Mr. Wilson, Nay; Mr. Cole, Yea; Mr. Vincent, Yea**

**Mr. Moore noted that the Commission's recommended condition "g" would move to condition "i".**

**M 355 17 Adopt Ordinance No. 2511/ CU 2084**

**A Motion was made by Mr. Cole, seconded by Mr. Arlett, to Adopt Ordinance No. 2511 entitled "AN ORDINANCE TO GRANT A CONDITIONAL USE OF LAND IN AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT FOR A RECYCLE CENTER AND WEIGHT SCALE OPERATION TO BE LOCATED ON A CERTAIN PARCEL OF LAND LYING AND BEING IN GUMBORO HUNDRED, SUSSEX COUNTY, CONTAINING 30.89 ACRES, MORE OR LESS" (Conditional Use No. 2084) filed on behalf of Term 2, LLC, with the following conditions, as amended:**

- **a. The use shall be limited to a recycling center with a scale for concrete, asphalt, wood, soils and other similar materials. No food products, metals, sanitary wastes or liquids shall be accepted at the site.**
- **b. Material acceptance and processing hours shall be limited to 7:00 a.m. through 7:00 p.m., Monday through Saturday.**
- **c. There shall be a vegetated buffer of at least 50 feet from all boundaries of the site.**
- **d. No material processing shall occur within 100 feet of County Road 427.**
- **e. Water truck shall be available to control dust within the site.**
- **f. One lighted shall be permitted. It shall not be greater than 32 square feet per side.**
- **g. The Applicant shall comply with all DelDOT requirements.**
- **h. Upon conclusion of the use of this Conditional Use, the site shall be reclaimed by planting trees and/or grass, and shall be noted on the Final Site Plan.**
- **i. The Final Site Plan shall be subject to the review and approval of the Planning and Zoning Commission.**

**Motion Adopted:** **5 Yeas.**

**Vote by Roll Call:** **Mr. Arlett, Yea; Mr. Burton, Yea; Mr. Wilson, Yea; Mr. Cole, Yea; Mr. Vincent, Yea**

**Public Hearing/ CZ 1819**

**A Public Hearing was held on the Proposed Ordinance entitled "AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING MAP OF SUSSEX COUNTY FROM AN AR-1 AGRICULTURAL RESIDENTIAL DISTRICT TO A CR-1 COMMERCIAL RESIDENTIAL DISTRICT FOR A CERTAIN PARCEL OF LAND LYING AND BEING IN NORTHWEST FORK HUNDRED, SUSSEX COUNTY, CONTAINING 13.063 ACRES, MORE OR LESS" (Change of Zone No. 1819) filed on behalf of MTC**