

*Town of Cheswold*  
1856



*State of Delaware*  
1787

# **PUBLIC HEARING**

## **ORDINANCE REVIEW**

Meeting Notice Posted: December 18, 2023

Agenda Posted: November 25, 2024

**ONLY COUNCIL MEMBERS; TOWN ATTORNEY  
& TOWN EMPLOYEES WILL BE PERMITTED AT TOWN HALL**

**VIA ZOOM ONLY**

**ZOOM ACCESS**

Via Computer:

<https://us02web.zoom.us/j/9728359352>

Meeting ID: 972 835 9352

Via Cell Phone:

1-929-205-6099 Meeting ID: 9728359352#

**Date: Monday, December 2, 2024**

**Time: 5:00 p.m.**

**Location: Cheswold, Delaware 19936**

The meeting was called to order by Mayor Santo Faronea at 5:06 pm.

The Mayor requested all attendees to follow in the Pledge of Allegiance and a Moment of Silence and noted that the meeting had been properly posted on November 25, 2024, in the newspaper and all other required sites. The agenda was likewise properly posted on November 25, 2024.

Mrs. Camryn Jones, Town Clerk took a roll call of the present Council and acknowledged that the following Council members were in attendance on Zoom and a quorum was reached.

Mayor Santo Faronea - Present  
Vice/Mayor – Judith Johnson - Present  
Secretary/Treasurer Sam Callender- Present  
Councilperson Mark Moxley - Excused  
Councilperson Robin Ridgway – Excused  
Councilperson Jamie Bartlett – Present

**Page 1 of 5**

**TOWN of CHESWOLD**

P.O. Box 220 – Cheswold, Delaware 19936  
Phone: (302) 734-6991 – Fax: (302) 734-1355

TOWN of CHESWOLD  
MINUTES of PUBLIC HEARING  
Monday, December 2, 2024

In addition, the following persons were in attendance on Zoom as noted:

Mr. Christopher Workman – Police Chief  
Mrs. Camryn Jones – Town Clerk  
Mrs. Shadina Jones – Town Manager  
Ms. Sarah Cahall – Asst. Land Use Administrator

**Zoom Attendees**

Bill Allen – Noble’s Pond  
Gerard Plescia – Noble’s Pond  
Sylvia Liddle – Noble’s Pond  
Mark Fleming – Noble’s Pond  
Susan Lieberum - Noble’s Pond  
Jonathan Richard – Becker Morgan Group  
Vito Muti – Noble’s Pond  
Darrin Atwood – Noble’s Pond  
Kyle Burchard – Mountain Consulting  
“Bobby” – Address Unknown  
DJ Shannahan – Culligan Water

There were more persons in attendance than typically seen in previous Public Hearings. Due to the circumstances, the agenda was not followed in order to permit those who were in attendance to express any questions and/or concerns they had with the Town.

The Mayor requested Assistant Land Use Administrator Cahall to conduct the Public Hearing as required. Ms. Cahall then explained the purpose of the Public Hearing and the Ordinance.

Assistant Land Use Administrator, Cahall, explained the purpose of the Public Hearing to the Council.

**ORDINANCE 08-16-24-074 AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF THE TOWN OF CHESWOLD TO AUTHORIZE MARIJUANA-BASED BUSINESSES IN CERTAIN ZONING DISTRICTS PURSUANT TO CONDITIONAL USE APPROVAL**

**PURPOSE:**

This Ordinance amends the Land Use Ordinance of the Town of Cheswold to permit marijuana establishments in the C-2, (Highway Commercial), and I-1, (Light Industrial), AG, (Agriculture), Zoning Districts within the corporate limits of the Town, subject to conditional use approval as recommended by the Planning Commission and approved by the Town Council.

TOWN of CHESWOLD  
MINUTES of PUBLIC HEARING  
Monday, December 2, 2024

**PUBLIC COMMENT**

Mr. Bill Allan asked for the results of the Marijuana Survey, which was sent out to all residents, months prior. Ms. Cahall explained that 73 percent of the votes were in favor of the survey versus 27 percent of the votes against it. There was a total of 269 survey respondents of the 1000 that were sent out. Mr. Allan claimed that he did a survey of his own and most of the responses that he received were against marijuana. It was not confirmed which of those residents are within our Town limits and which are not.

Mr. Allan was under the impression that Noble's Pond makes up a large percentage of the Town of Cheswold. Mrs. Callender explained to Mr. Allan the entire makeup of the Town and that only a small portion of Nobles Pond is annexed within the Town's limits.

Mrs. Liddle claims she did not receive a survey. Ms. Cahall informed Ms. Liddle that postal errors are out of the Town's control. Having spoken with Mrs. Liddle several times in the past, this was the first time the Town was made aware that she allegedly did not receive the Marijuana Survey. The Town can only base the results on the number of surveys received during the months in which the votes were collected.

Mrs. Liddle was reminded that we have Planning Commission meetings and Town Council meetings that she can attend via Zoom, each month.

Mr. Atwood asked what the annexation means for himself and the Community. Ms. Cahall instructed Mr. Atwood to email his annexation questions to her as she can thoroughly explain them outside of the Public Hearing, which was strictly being held for questions and concerns for the Marijuana Ordinance.

Mr. LaRocca asked questioned what the final decision is for the allowance of marijuana within the Town. Ms. Cahall explained that this is the final reading of the Ordinance, and it will be voted on during the Town Council meeting. She further explained that there were several meetings held on this matter. The approval of the Ordinance would allow one (1) manufacturing center, one (1) cultivating center, one (1) retain facility and one (1) testing facility, which are only permitted in Commercial, Agricultural, and Industrial zonings and are to align with the State of Delaware guidelines. Ms. Cahall informed Mr. LaRocca that he can visit the State's website to view the contractors who received their marijuana licenses by lottery.

TOWN of CHESWOLD  
MINUTES of PUBLIC HEARING  
Monday, December 2, 2024

Mr. LaRocca asked when the Town meetings can be held entirely in person again. Mrs. Callender explained to him that comments made during a Public Hearing are to be in accordance with the purpose of said Public Hearing. However, since the Town is very small, there is some lead way. Therefore, Mrs. Callender explained to him that meetings were previously held at the Cheswold Fire Hall, but due to lack of participation from the Community, it was not feasible to use the facility's utilities for a very small group of people.

Mr. Atwood asked for an explanation on the Town streets and zone areas. Mrs. Callender thoroughly explained where they are and how the zones are broken down.

Mr. LaRocca asked if the Resolution for the Tidewater Franchise Fee will be discussed. He was informed that the segment will be discussed at January's Town Council meeting.

Mrs. Liddle asked if anyone would be permitted to smoke marijuana in the zoning areas discussed in the Marijuana Ordinance. Mrs. Callender explained to Mrs. Liddle that although residents can smoke marijuana in their homes, they are not permitted to smoke it outside of their residence. Mrs. Liddle was made aware that the State passed a law through Titles 4 and 16 permitting recreational and medical marijuana use.

Mr. Fleming asked if the Planning Commission or Council expressed any reason for recommending the Ordinance. Ms. Cahall read the purpose of the Ordinance, however, Mr. Fleming was looking for an explanation on why the Council is deciding to move forward with the Ordinance. Mrs. Callender stated that there may be a financial benefit to the Town. Essentially, the decision was made based on the results of the Marijuana Survey, as previously discussed.

Mr. Plescia asked if Blanton's will be annexed and be included in the tax database. Mrs. Callender informed him that they are within the Town's limits, and they will be fully taxed (land and improvement value) once the development is complete. Mr. Plescia asked the same question regarding the Liborio property. Mrs. Callender informed him that if and when the property is developed, they will be included in the tax base as the property is already within the Town's limits. Mr. Plescia followed up with his final question regarding the Noble's Pond Clubhouse, parking lots and pool. He was under the impression that the areas were once apart of Dover's jurisdiction. Mrs. Callender informed him that all those areas are in Cheswold and were originally annexed as such. Mr. Plescia was encouraged to contact Ms. Colleen Ostafy (Noble's Pond) and visit the Town's website to obtain a map where he can view the Town's annexed areas.

TOWN of CHESWOLD  
MINUTES of PUBLIC HEARING  
Monday, December 2, 2024

**MOTION to ADJOURN**

At 5:48 pm, a motion was made by Secretary/Treasurer Callender to adjourn the meeting. The motion was seconded by Vice Mayor Johnson and passed unanimously by a roll call vote of the Council.

*Submitted by Town Clerk Mrs. Camryn Jones – December 6, 2024*