

## PLANNING & ZONING MEETING

AUGUST 21, 2025

**ATTENDEES:** David Chillas, Chair  
Morris Deputy, Town Manager  
Frank Bailey, Fire Chief  
Don Hall  
Chuck McCausland  
Jenn Parrish  
Joe Pontak  
Gretchen Rachko  
Keith Thompson

### AGENDA:

**1. 128 Patriot Drive, Unit 2 – Conditional Use Permit request for a training and fitness facility (Engineered for Success Training Center) in an M-I zoned area. CU-12-25. Tax Parcel No. 23-041.00-015.**

Dwight Burke, a fitness trainer, requested approval to open a training center at 128 Patriot Drive.

***Moved by Jenn Parrish and seconded by Joe Pontak to recommend Mayor and Council approve 128 Patriot Drive, Unit 2, Conditional Use Permit request for a training and fitness facility (Engineered for Success Training Center) in an M-I zoned area. CU-12-25. Motion Carried Unanimously.***

**2. 300 New Street – Minor Subdivision Plan for the consolidation of existing parking lots, creation of 24 new parking spaces, landscaping improvements, patio area and fence at Mt. Calvary Baptist Church. Tax Parcel No. 23-006.00-122.**

Andrew Hayes with Foresite Associates and Jerome Heisler with Reybold Group presented the Minor Subdivision Plan.

- The church is located at E. Lake and New Street and has an unstriped parking lot. The existing lots will be consolidated and create a .37-acre lot for the church. Reybold is giving the land to the church for a new parking lot. Landscaping improvements, and a new privacy fence around the parking lot with 24 marked spaces will be installed. Two access points are proposed: One from E. Lake Street and one from Shaw Avenue.
- The Highlands project is located behind the church.
- Storm drainage will be managed in the Highlands.
- Mr. Heisler explained the Highlands project was designed with interconnectivity from the medical center on Cleaver Farm Road to E. Lake Street/New Street. Approximately 0.0657 acres will be conveyed to the Town as right-of-way for the East Lake Street connection to New Street. This project has been in the planning stage for several years.
- In addition to this being part of the bypass agreed to with the TID, the Town will also have a utility corridor with electric, water and sewer adjacent to the roadway.

- A contract is in place to swap the parcels; the parking lot is designed and approved by the church.
- The plan for the new section of E. Lake Street showing the connection into the Highlands subdivision was presented. Construction is about two years out.
- The Rt. 299 connection will eventually go through the Capano property, which will help with traffic on 299, as well as provide an alternate route should something happen to 299. Either the Town or Capano will finish the connection to 299.

Don Hall asked if the Highlands has been approved yet; he said he is not looking forward to the additional traffic unless the bypass could be built right away.

Morris Deputy responded the plan has been approved.

Frank Bailey asked if the East Lake Street name would continue across Cleaver Farm Road to the project and medical center.

Mr. Hayes indicated the road east of Cleaver Farm Road is East Lake Street.

Keith Thompson questioned the timeline to start the circles on Cleaver Farm Road.

Mr. Heisler said they were originally going to be phased in; however, to make it work from a traffic point of view and affect fewer people, the traffic circles will be constructed in the beginning.

Cleaver Farm Road will be blocked off between the two circles while building the subdivision.

Traffic from Village Brooke will use the newly paved “cut through” from Cleaver Farm Road.

Joe Pontak asked if only the parking lot is for consideration at this time. He questioned that the existing parking parcel would actually go back to the Highlands, not to the Town.

Mr. Hayes clarified the subdivision plan removes the weird subdivision lines, creates a nice rectangular parcel for the church and the right-of-way. The land development plan creates and reconfigures the new parking lot and provides the entrances.

Mr. Hayes further explained the existing parking lot piece will be given to the Town and become E. Lake Street, a public street and utility corridor.

Mr. Heisler reiterated the developer is giving a piece of land to the church for the parking lot, a piece of land to the Town for the E. Lake Street connection and building a parking lot for the church.

Pontak asked if the time frame is really five to seven years out and if the project will be phased.

Mr. Heisler said construction is planned to start within the next year. There are ten phases for the proposed 1,250 units, with a mix of stacked townhomes, semi-detached and apartments. It will be a rental community owned by Reybold.

Jenn Parrish questioned how many retention ponds were proposed for the project, and what safety measures are used for the ponds. She noted DNREC will require ponds to be fenced in the next couple of years.

Mr. Heisler stated the plan was presented in the ‘90’s. The site plan was recorded in 2009 and has been updated. Reybold was one of the top builders in the country for single families for sustainable housing. The company has always been very focused on sustainability for the building envelope as well as energy and water usage. EV charging will be available throughout the subdivision.

- He said infiltration methods are used when possible; benches are installed in the ponds.
- Drew Hayes indicated one large pond was installed in 2000; the pond proposed in the apartment complex was eliminated and will become an open space area.
- The ponds along Cleaver Farm Road will be planted for bio-retention/rain garden facilities. The number of wet ponds has been reduced; the stormwater design has been revised along with the current DNREC regulations.

Don Hall asked if the sunset regulations apply to a plan, and when the bypass will be built. Morris Deputy responded, technically, the project was started in different phases over the years; the development has been in the Comp Plan since 2000.

Mr. Heisler indicated their portion of the bypass will be built at the beginning of the project, including the roundabouts, as the focus is on the apartments on the left side of Cleaver Farm Road. It will be the Town's decision or up to Capano to complete the rest of the bypass to 299.

***Moved by Keith Thompson and seconded by Chuck McCausland to recommend Mayor and Council approve 300 New Street, Minor Subdivision Plan for the consolidation of existing parking lots, creation of 24 new parking spaces, landscaping improvements, patio area and fence at Mt. Calvary Baptist Church. Motion Carried Unanimously.***

**Mayor & Council: We included these minutes for your information and reference.**

### **MIDDLETOWN MEWS – Planning & Zoning Minutes from August 5, 2025**

**3. 5044 Summit Bridge Road – Preliminary Major Land Development Plan for Middletown Mews, a proposed stacked townhouse community with 30 units arranged in three buildings with common access driveways. Each building will be three stories, with two units situated in each building section. Tax Parcel No. 23-075.00-093.**

John Tracey and Mike Kaszyski presented the plan.

- Mr. Tracey noted the plan was tabled last month after several concerns were expressed by neighboring New Castle County residents, traffic being a primary concern. A meeting was scheduled and held with DelDOT since that time.
- The subject parcel was once part of the larger Armstrong tract that now contains the Wawa and Middletown Reserve; the Armstrong family still owns the parcel on the north side of the proposed development. The parcel was subdivided in 2008 to create the individual parcels.
- The project proposes 30 stacked townhomes with associated parking, stormwater management and open areas.
- The parcel was zoned R-3 when annexed into the Town.
- The plan meets all code requirements; no variances are required.
- The community is designed with the fronts of the homes facing outward toward the neighbors; the back of the buildings will be internal to the site.
- A single access is proposed from Summit Bridge Road.
- The community is surrounded by an eight-foot privacy fence that would prevent residents from walking onto the adjoining neighbors' property.
- The stormwater management facility in the rear is designed as an infiltration basin/rain garden. If the Town prefers to have the facility fenced, a fence will be added.
- In response to the concern for lighting expressed at the last meeting, most of the light fixtures will be placed internally and not on the boundaries of the parcel. With the type of light fixture and design, as well as the landscaping and existing structures, the light will be blocked, and basically, no light spillage will occur (lighting plan was displayed).

- TIS Request: DelDOT determined that the number of units and trips, based on the peak hour and average daily trips, a TIS was not required for the project, nor was an area wide study fee. The minimum peak hour trips to justify a traffic study are 50, this project creates less than 60% of that; the average daily trips are slightly more than half of what would trigger a TIS (calculation plan presented).
- Entrance Design: DelDOT concurred that full access into and out of the site can be accommodated. Left and right turn lanes will be required to be constructed for entrance into the property. The left turn lane is approximately 285' (entrance design was displayed).
- A sidewalk is required to be extended from the property to connect to the bus stop.
- A traffic analysis was run for a variety of uses for the site. The proposed use is less impactful than any other proposed uses.
- Armstrong house – PLUS comments issued for Middletown Reserve showed no particular recommendations other than screening the new development from the existing house.
- Comments from the Town's engineers were received and addressed.

Jenn Parrish asked where the bus pad will be located.

Mike Kaszyski said the bus stop pad was built when Wawa was constructed; it's near the pond. The sidewalk will just be extended to the bus stop.

Chuck McCausland expressed concern with vehicles entering and exiting the development, in particular those vehicles trying to exit to go north.

Jenn Parrish interjected the board asked for a traffic study due to access, not just the number of vehicles the development would produce. She asked if the road will be widened.

Kaszyski responded the road as constructed with the Summit Bridge and 301 bypass project, was sufficient for the lanes as proposed. A right turn lane along the shoulder will be striped and possibly widened slightly, and a left turn in will be striped in the existing striped median. The right turn lane will be 195' based on the traffic volume coming in and out of the site and the existing volume on the roadway. The left turn lane coming into the development is 285' as determined by DelDOT.

Kaszyski said an analysis conducted of traffic moving in and out of the site showed that less than one vehicle would be waiting to make a left turn coming in, and less than one vehicle waiting to come out. The delays average 13 to 14 seconds to make a left in. The study conducted is based on the current traffic volumes DelDOT has for Summit Bridge Road, projected out ten years.

Jim Ciamaricone, resident, said it's almost impossible to make a left turn to go north because of the volume of traffic and speed on Summit Bridge Road.

From that point, the Committee members and residents engaged in a lengthy discussion with the representatives for Summit Bridge LLC regarding safety concerns with the entrance/exit of the development. The consensus of the Committee and residents was the entrance/exit was very unsafe. The Committee suggested eliminating the left turn lane into the development and the left turn going north.

Mike Kaszyski pointed out the plan was prepared and designed with all the information, including DelDOT's regulations and criteria. DelDOT has reviewed and accepted the plan.

Mr. Tracey commented that although the plan was designed with DelDOT's analysis on what the numbers showed, he indicated the request to eliminate the left turn lanes could be included as a condition with the recommendation for Council's consideration.

Another point of concern discussed was emergency equipment not having access around the buildings.

Mr. Kaszyski said the fire truck will physically access from the drive way in the front. He noted the plan follows the State Fire Code requirement for access on one side of the building and walkable, clear access so the hose can be taken around to the other side.

Frank Bailey questioned the size of the radius. Although it complies with the requirement for the biggest fire truck, he questioned if the tree canopy hanging over the street had been considered in the calculations. He further commented on the driveways only being 18 feet, and pointed out larger trucks would hang over the end of the driveway into the street, as standard personal trucks are 17 to 22 feet long. He questioned if that was taken into consideration for the radius calculation. Mr. Kaszyski indicated the trees would be pruned.

Frank Bailey asked how the top floor of the building is accessed.

Mr. Kaszyski said physical access is on the ground floor from the “man” door in the rear and from the garage; separate internal stairs will reach the third floor.

Discussion followed regarding twelve overflow parking spaces and residents parking on the street.

Jenn Parrish questioned if the State Fire Code has been updated to include stacked townhomes. Mr. Kaszyski said he believes the fire code was updated in 2019 and around 2022.

Joe Pontak commented it appears there are numerous safety issues to be considered. Mr. Tracey pointed out all of the concerns discussed are code compliant.

Jenn Parrish expressed her feeling that DelDOT is usually reactive instead of proactive in updating or changing codes. The reason this board has so many concerns is because this parcel is not like most parcels in Middletown.

Mr. Tracey responded that the developers are governed by the codes.

JoAnne Armstrong had the following comments:

- Questioned the height of the trees and where they would be placed. She indicated she would like to see trees that are twelve (12) feet high to shield the view.
- Regarding the PLUS comments, an archeological exploration was recommended when the previous commercial/apartment plan was presented and consequently turned down.
- She currently experiences unsafe traffic situations when trying to turn into her property.
- Recommended decreasing the density.

Mr. Tracey indicated some existing trees are at the corner of the building and a formal landscape screening plan will be submitted.

Jim Ciamaricone expressed concern with people using his driveways to make U-turns. He stated the road is very dangerous with the current volume of traffic on Summit Bridge Road all day long; adding more homes will only make it worse.

For clarification, it was noted that if the dedicated left-in and left-out turns are eliminated, people would still be able to turn in both directions from the “hashed” area currently in place.

Bill Shahan explained the left turn lane going north is already a dual use turn lane in the hash marked area for people turning into Caliber Automotive and for residents Ciamaricone, Armstrong and himself; it's not safe to use it as an acceleration lane into the north bound lane.

Mr. Tracey commented, if constructed as proposed, it would be striped as a left turn lane with arrows, etc. A condition for consideration could be added to modify the entrance design, such as an island for right-in and left-out turns, and something fire apparatus could drive over. Frank Bailey said that would be very concerning for emergency vehicles coming from the south.

Jenn Parrish commented, with the current zoning in place, this plan technically cannot be turned down, but the board can add conditions. She noted, in the future, she and Joe will discuss code changes with state officials and others. She understands the plan is to code, but asked for consideration with providing access to the back of the townhomes to make it safer. Mike Kaszyski said they will take another look at the plan to see what can be done.

JoAnne Armstrong asked if a residential use with fewer units could be considered. Morris Deputy said the Zoning Code dictates the number of units, not the Town.

Morris Deputy asked Chief Bailey if the fire company needs complete access around the building. This is the first development with stacked townhomes and the units turned around. Chief Bailey said no, it would be uncommon to get around the whole building. This is unusual because there are no doors in the back to go through. Mr. Tracey said they can look at the internal floor plan to possibly add a "man" door in the back.

***Moved by Chuck McCausland and seconded by Joe Pontak to recommend Mayor and Council approve 5044 Summit Bridge Road – Preliminary Major Land Development Plan for Middletown Mews, a proposed stacked townhouse community with 30 units arranged in three buildings with common access driveways, with the following conditions:***

- *eliminate the dedicated left turn lane into the development and the left turn lane from the development heading north.*
- *Limit the number of vehicles allowed to park.*
- *Widen the lane in the back to allow fire truck/emergency access.*
- *Reduce the number of homes.*
- *Provide adequate emergency vehicle radius.*
- *Relocation of fire hydrant.*

**The members were asked to state their vote:**

**Joe Pontak:** No, because of limited parking, the turn lanes and limited access for safety personnel to access the homes, and overall safety of the development.

**Don Hall:** No, because of safety concerns discussed, access, left turn lanes and fire hydrant location.

**Jen Parrish:** No, because it's not part of smart growth, too many units, safety concerns for fire emergency access, and turn lanes.

**Gretchen Rachko:** No, because of safety implications with the turn lanes, fire hazards, length of driveway, and not enough overflow parking.

**Chuck McCausland:** No. The biggest concern is traffic turning left out of the development.

**Keith Thompson:** No, because of safety issues with traffic and emergency vehicles.

***MOTION DENIED UNANIMOUSLY.***

***Moved by Joe Pontak and seconded by Jenn Parrish to adjourn. Motion Carried Unanimously.***

We believe these minutes accurately reflect what transpired; however, we will appreciate comments involving a different understanding of what occurred. Unless we are notified in writing to the contrary within 10 days after receipt, we will assume all in attendance concur with the accuracy of this transcription.

Respectfully Submitted,

Morris Deputy, P.E.  
Town Manager

Cc: Mayor & Council  
P&Z Members  
Verdantas, All Attendees