

## PLANNING & ZONING MINUTES

OCTOBER 20, 2022

**ATTENDEES: Dave Chillas, Chairman  
Morris Deputy, Town Manager  
Frank Bailey, Fire Chief  
Joe Pontak  
Gretchen Rachko  
Charles Roberts  
Keith Thompson**

### **AGENDA:**

**1. 1708 Eckington Drive – Conditional Use Permit request for a home office for a construction business (Delaware Home Improvements 2) in an R-3 (residential) zoned area. CU-29-22. Tax Parcel No. 23-044.00-010.**

Kevin Casey requested approval for a home office for a handyman business. He has no employees.

Keith Thompson asked if his community had an HOA restriction.

Mr. Casey said he provided a letter from the HOA stating the home office would be permitted as long as there are no employees, no materials will be stored at the home, and no customers will be visiting the home.

***Moved by Joe Pontak and seconded by Gretchen Rachko to recommend Mayor and Council approve 1708 Eckington Drive – Conditional Use Permit request for a home office for a construction business (Delaware Home Improvements 2) in an R-3 (residential) zoned area. CU-29-22. Tax Parcel No. 23-044.00-010. Motion Carried Unanimously.***

**2. 701 Industrial Drive – Conditional Use Permit request for an environmental services company (EnviroSure, Inc.) to utilize the space as a professional office with no testing done on site. CU-30-22. Tax Parcel No. 23-010.00-041.**

Charles Chan, Vice President, said EnviroSure is an environmental testing company. He requested approval to relocate their office from W. Green Street to a larger office space at 701 Industrial Drive. All testing is sent out. They currently have four employees (scientists and engineers). Their existing location is near the Karate studio which can be very noisy and disruptive.

***Moved by Keith Thompson and seconded by Joe Pontak to recommend Mayor and Council approve 701 Industrial Drive – Conditional Use Permit request for an environmental services company (EnviroSure, Inc.) to utilize the space as a professional office with no testing done on site. CU-30-22. Tax Parcel No. 23-010.00-041. Motion Carried Unanimously.***

**3. 117 Patriot Drive, Suite B – Conditional Use Permit request for a global packaging-forwarding service (Packeit, LLC) to locate in an M-I zoned area. CU-31-22. Tax Parcel No. 23-041.00-020.**

Elyas Mohammed with Packeit LLC requested approval to open the business in an M-I zoned area. They receive packages from online stores to be shipped outside of the country. The space is basically a warehouse with lockers to store their customer's products.

Keith Thompson asked what type of items are stored and shipped.  
Mr. Mohammed said skin care products, clothes, shoes, etc.

Frank Bailey asked if any hazardous materials are shipped.  
Mr. Mohammed replied no.

Chip Roberts asked how many customers they have.  
Mr. Mohammed said currently only 100 to 150, but he expects to have around a thousand.

Joe Pontak asked if customers could stop by to pick up products.  
Mohammed said Packeit is only a shipping company; customers will not pick up products. All products are shipped outside the U.S. He said his customers buy from Amazon, Walmart, etc., and store the merchandise in the warehouse; he packages and ships the merchandise to the purchaser.

Joe Pontak asked how many people are employed.  
Mohammed said 3 or 4, but they could have 6 or 7 if he gets busier.

***Moved by Gretchen Rachko and seconded by Keith Thompson to recommend Mayor and Council approve 117 Patriot Drive, Suite B – Conditional Use Permit request for a global packaging-forwarding service (Packeit, LLC) to locate in an M-I zoned area. CU-31-22. Tax Parcel No. 23-041.00-020. Motion Carried Unanimously.***

**4. Review Ordinance 22-09-02 for the annexation of Tax Parcel Numbers 13-017.00-026, 13-017.00-027 and 13-017.00-028 (5187 Summit Bridge Road and 0 Summit Bridge Road) into the Town of Middletown.**

Denis Hulme with Woodin & Associates presented the request to annex three parcels, totaling approximately 3 acres, located on the east side of Summit Bridge Road, across from Spring Mill. The parcels are currently vacant.

- Commercial zoning (C-3) is requested.
- The parcels are included on the Future Annexation Map in the Comp Plan.
- No current use is proposed at this time.
- Utilities are not yet available; however, it is anticipated that a utilities design will be done for the area in the near future.

***Moved by Keith Thompson and seconded by Joe Pontak to recommend Mayor and Council adopt Ordinance 22-09-02 for the annexation of Tax Parcel Numbers 13-017.00-026, 13-017.00-027 and 13-017.00-028. Motion Carried Unanimously.***

**5. Review Ordinance 22-09-03 for the annexation of Tax Parcel No. 13-022.00-032 (900 N. Broad Street) into the Town of Middletown.**

Julian Pelligrini with The Pelsa Company presented the annexation plan for the Southern States Property located on North Broad Street, across from Mid-County Lanes.

- The parcel is approximately 3.62 acres, currently zoned Industrial.
- The property is included on the Future Annexation Map in the Comprehensive Plan.

Joe Pontak asked what use is being proposed for the property.

Mr. Pelligrini said possibly some warehousing and flex space. The main concern at this time is tying into water and sewer across the street. He said he is working with the Town on the best location for the connection.

Joe Pontak commented his concern is shutting down the street to make that connection.

It was pointed out that Broad Street is a State road. Any construction involving the road will require permits, safety measures, etc., and coordination with the Town.

***Moved by Keith Thompson and seconded by Joe Pontak to recommend Mayor and Council adopt Ordinance 22-09-03 for the annexation of Tax Parcel No. 13-022.00-032 (900 N. Broad Street). Motion carried Unanimously.***

**6. Review Ordinance 22-09-04 for the annexation of Tax Parcel No. 23-032.00-008 (1000 North Broad Street) into the Town of Middletown.**

Julian Pelligrini presented the annexation plan for the Schagrin Gas Company property located on Broad Street next to Southern States.

- The parcel is approximately 2.18 acres, currently zoned Industrial.
- The parcel is included on the Future Annexation Map on the Comprehensive Plan.
- The use for the property is still under consideration.
- As with the Southern States property, utility connections will be made across the street or just south of the property.

***Moved by Charles Roberts and seconded by Joe Pontak to recommend Mayor and Council adopt Ordinance 22-09-04 for the annexation of Tax Parcel No. 23-032.00-008 (1000 North Broad Street). Motion Carried Unanimously.***

**7. Review Ordinance 22-10-02 for the annexation of Tax Parcel 13-022.00-001 (1023 Bunker Hill Road).**

Aaron Tappana with Panattoni Development Company presented the annexation plan for 1023 Bunker Hill Road. Approximately 1,100,000 square feet of light industrial warehousing will be constructed. Approximately 500 jobs will be created.

Alex Schmidt with Century Engineering provided the following:

- The site is on Bunker Hill Road, bounded by 301 to the west with other development north and east.
- The parcel is approximately 76 acres, currently an agricultural field; the house is unoccupied.
- The site has water, electric on the frontage and sewer to the rear. The Town has confirmed that capacity is available.
- The small wetlands area will not be impacted.
- M-I zoning is requested as designated in the Comp Plan.
- The Land Development Plan is being designed and will comply with State and Town codes.

Joe Pontak commented that the road leads to Appo High School. He asked what improvements are planned for the road and what business is proposed.

Mr. Schmidt said they feel that most of the traffic will turn left out of the site and head away from the high school. They are working with DelDOT on road improvements. Part of the review being done by DelDOT is to determine if a signal will be required at Merrimac Avenue and Bunker Hill Road.

Mr. Tappana said there are no specific users at this time.

Gretchen Rachko asked if the plan went to PLUS for review. She expressed concern with tractor trailers making the turn around the circle.

Mr. Schmidt responded the plan went to PLUS and no major comments were made. A response to the PLUS comments will be provided at Preliminary Plan review. He said they expect most of the truck traffic to turn left to go to Rt. 301. He commented that the circle was made larger when it was installed to accommodate trucks.

Joe Pontak commented that the trucks wanting to go north will probably turn right and head toward the school.

Mr. Tappana said generally trucks want to get to the highway as quickly as possible and they feel that most trucks will turn left out of the facility.

Chip Roberts pointed out that the farmers usually go toward the circle to head north.

Frank Bailey asked if the entrance to the project would line up with Merrimac Avenue.

Mr. Tappana said their property does not extend down to Merrimac Avenue.

Chip Roberts asked if the old driveway would be used as the entrance.

Mr. Schmidt indicated they would probably go down the middle of the horseshoe driveway because of the utility poles.

***Moved by Gretchen Rachko and seconded by Keith Thompson to recommend Mayor and Council adopt Ordinance 22-10-02 for the annexation of Tax Parcel 13-022.00-001 (1023 Bunker Hill Road). Motion Carried Unanimously.***

***Moved by Joe Pontak and seconded by Chip Roberts 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, Town Manager

Ry 10/24/22

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