

PLANNING & ZONING MEETING

MAY 21, 2026

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

AGENDA:

1. 126 Patriot Drive, Suites 1 and 2 – Conditional Use Permit request for consumer electronic goods (laptop, tablets, watches, etc.) shipping and receiving business (Eyedealsystems, LLC) in an M-I zoned area. CU-09-26. Tax Parcel No. 23-041.00-014.

Robert Mullin, property owner is requesting approval to lease space to this business.

- The company buys and sells consumer electronics.
- The company is based out of Chantilly, VA and is looking to lease space between New Castle and Dover.

Gretchen Rachko inquired about the number of employees who will be working in the space. Mr. Mullin stated, 4-6 employees. Mrs. Rachko also questioned if there is enough parking. Mr. Mullin believes the site provides 45 parking spaces.

Joe Pontak questioned if the site will allow for customers or if it is an online business. Mr. Mullin replied that it is mostly online shipping.

Mr. Pontak requested clarification regarding the shipping of batteries containing chemicals, specifically asking whether clearance from the State of Delaware would be required. Kristen Krenzer, Public Relations Officer, responded that concerns would arise if the business were mailing or shipping materials out of the airport. Morris Deputy, Town Manager, added that a state permit or certification would be required for such shipments. Mr. Pontak asked whether it is the responsibility of Planning and Zoning to note this condition. Mr. Deputy stated Mayor & Council will be responsible for establishing and communicating that condition.

Jenn Parrish commented that she appreciates the nature of the proposed business, particularly its focus on recycling laptops.

Moved by Keith Thompson and seconded by Jenn Parrish to recommend Mayor and Council approve 126 Patriot Drive, Suites 1 and 2 – Conditional Use Permit request for consumer electronic goods (laptops, tablets, watches, etc.) shipping and receiving business (Eyedealsystems, LLC) in an M-I zoned area. CU-09-26. Motion Carried Unanimously.

2. 538 Lilac Drive – Conditional Use Permit request for a home-based utility engineering consultant business in a R-1B zoned area. CU-10-26. Tax Parcel No. 23-026.00-039.

Donald Hall, property owner is requesting approval for his home-based business.

- The home occupation will be based out of the Longmeadow subdivision.
- The usage for the home-based occupation is being updated from 150 square-feet (5%) to 200 square-feet (6%).
- There will be no clients, signage, or additional employees at the property.

Jenn Parrish confirmed the change of the percentage of the home used for the home-based business.

Gretchen Rachko inquired if Mr. Hall would be conducting business through Zoom calls. Mr. Hall replied, yes as most of his clients do not reside in Delaware.

Joe Pontak asked if there would be anything shipped to Mr. Hall's home. Mr. Hall replied, no.

Moved by Gretchen Rachko and seconded by Chuck McCausland to recommend Mayor and Council approve 538 Lilac Drive – Conditional Use Permit request for home-based utility engineering consultant business in a R-1B zoned area. CU-10-26. Motion Carried Unanimously.

3. 119 Patriot Drive, Unit D – Conditional Use Permit request for a recreational cheerleading academy (Supreme Loyalty Cheer) to locate in an M-I zoned area. This location is in addition to the previously approved location at 117 Patriot Drive, Suite C. CU-11-26. Tax Parcel No. 23-041.00-019.

Thomas Smalls, business owner is requesting additional space to support the growth of his operations.

- 119 Patriot Drive is accessible through the back door of the current location at 117 Patriot Drive.
- Acquiring the new unit will provide additional services for athletes.
- The current space does not have a designated office. The new space will provide an office suitable for holding meetings with parents.

Frank Bailey, Fire Chief, asked whether the area between the two buildings is a grassy space or a parking lot, and whether accessing the additional unit would require crossing a ditch. Mr. Smalls stated that the area is grassy, and the distance between the buildings is approximately ten steps. He further noted that access is provided by an existing sidewalk that leads from the current building to the new building. Mr. Bailey asked if there was a swale in between the two buildings. Mr. Thomas confirmed there is, but re-iterated the existing sidewalk will be used, or parents can park directly at the new building, avoiding the swale altogether.

Joe Pontak asked Mr. Bailey whether his earlier question about accessibility from one building to the next was raised for safety reasons. Mr. Bailey confirmed they were and stated that his concerns

were resolved once it was clarified the swale is not intended for customers to use to gain access to the new building.

Moved by Chuck McCausland and seconded by Jenn Parrish to recommend Mayor and Council approve 119 Patriot Drive, Unit D – Conditional Use Permit request for a recreational cheerleading academy (Supreme Loyalty Cheer) to locate in an M-I zoned area. This location is in addition to the previously approved location at 117 Patriot Drive, Suite C. CU-11-26. Motion Carried Unanimously.

4. 105 Patriot Drive – Preliminary Minor Land Development Plan and Conditional Use Permit CU-10-19 (expired plan and conditional use permit being resubmitted) for a one-story, 9,450 square-foot medical/professional office building in an M-I zoned area. Tax Parcel No. 23-041.00-027.

Michael Fogerty, owner of the building is presenting to request re-approval for Conditional Use.

- A gym company would like to lease approximately 7,500 square-feet of the building.
- Mr. Fogerty is unsure if a gym falls under medical use for which the area is zoned for.

Jenn Parrish asked for clarification on the proposal. Morris Deputy explained the plan was previously approved, but it is now expired due to not obtaining an extension from Mayor and Council. Mrs. Parrish asked what the plan was. Kristen Krenzer stated the plan was to construct a medical professional office building. Mr. Deputy stated a tenant has now inquired about leasing the space, but said the tenant may or may not fit the initial request to build a medical professional building.

Chuck McCausland asked what the current zoning is. Mr. Deputy stated it is M-I and stated the question is whether a Conditional Use is needed or if the proposed business fits the zoning as it currently stands.

Gretchen Rachko stated that in the past, they have recommended approval without knowing who the tenant would be. Mr. Deputy agreed. Mr. Pontak stated Planning and Zoning can recommend approval for Conditional Use for the initial ask for a medical professional office building. Mr. McCausland stated that he believes a gym may fall under the category of medical. Mr. Deputy stated it is generic and the definitions for a medical professional space are not specific, so the recommendation can be made to move forward to Mayor and Council. Mr. Deputy also stated if the commission believes it falls under the medical/professional term, they can recommend it move forward.

Frank Bailey asked if the parking requirements are the same for a gym and a medical facility. Mr. Deputy replied that it is usually generic for M-I zoned areas.

Mr. Pontak asked if they were to pass this along to Mayor and Council, would Mr. Fogerty have to appear before the Planning Commission again. Mr. Deputy replied only if there was a different use presented to Mayor and Council.

Mr. Deputy advised a business who does not fall under the umbrella of the approved Conditional Use would have to appear before the Planning Commission to be granted a different Conditional Use.

Mr. Bailey inquired if the cars leaving would only be coming out on Patriot Drive. Mr. Fogerty confirmed.

Mr. Pontak asked if Mr. Fogerty was able to share who the business was and Mr. Fogerty stated it was CrossFit.

Moved by Joe Pontak and seconded by Chuck McCausland to recommend Mayor and Council approve 105 Patriot Drive - Preliminary Minor Land Development and Conditional Use Permit CU-10-19 (expired plan and conditional use permit being resubmitted) for a one-story, 9,450 square-foot medical/professional office building in an M-I zoned area. Motion Carried Unanimously.

Moved by Joe Pontak and seconded by Chuck McCausland 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

KJ - 5/26/26
Cc: Mayor & Council
P & Z Members
Verdantas

