

# The Mayor and Council of Middletown

General Administration

19 W. Green Street  
Middletown, DE 19709



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## PLANNING & ZONING MEETING

SEPTEMBER 19, 2019

**ATTENDEES:** David Chillas, Chairman  
Morris Deputy, Town Manager  
Frank Bailey, Fire Chief  
Gene Bloemker  
Robert Hutchison  
Joe Pontak  
Gretchen Rachko  
Charles Roberts

- AGENDA:**
1. 128 Merrimac Avenue - Conditional Use Permit request for an eyebrow threading business (Subi Eyebrows Threading) in a C-3 zoned area. CU-12-19. Tax Parcel No. 23-021.00-512.
  2. 204 E. Main Street - Preliminary Major Land Development Plan for the New Castle County Southern Library, zoned C-2 on 7.94+/- acres. Plan calls for a 40,000 square-foot, one-story library and associated site improvements to take place in two phases. Tax Parcel No. 23-009.00-248.
  3. Parcel 4, Middletown Marketplace - Phase II - Preliminary Major Land Development Plan for the development of a 6,600 square-foot retail building alongside the existing Food Lion, a C-3 zoned area on 7.4+/- acres. Tax Parcel No. 23-005.00-295.
  4. Parkway at South Ridge - Record Minor Re-Subdivision Plan for the modification of a sidewalk location in an open space area located adjacent to Bunker Hill Road and Lake Seymour Drive. Tax Parcel No. 23-021.00-421.
  5. Review Ordinance 19-09-01 to amend the Town of Middletown Comprehensive Plan, including Map 7, Future Land Use and Annexation Areas.

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1. 128 Merrimac Avenue - Conditional Use Permit request for an eyebrow threading business (Subi Eyebrows Threading) in a C-3 zoned area. CU-12-19. Tax Parcel No. 23-021.00-512.

Sumitra Karki requested approval to perform eyebrow threading at her home. She currently works in Philadelphia; a spare room in the house will be used; clients can park in the driveway or on the street; no additional employees will be hired. She doesn't anticipate more than one client at a time.

Dave Chillas asked if clients would have appointments.

Ms. Karki said the procedure only takes 10 to 12 minutes. At this time no appointments will be necessary; however, if the business picks up, she will require appointments.

Robby Hutchison asked if the business followed cosmetology regulations.

Mr. Karki said no, the State said she does not need a cosmetology license, just a State business license, which she has.

***Moved by Robert Hutchison and seconded by Joe Pontak to recommend Mayor and Council approve 128 Merrimac Avenue, Conditional Use Permit request for an eyebrow threading business (Subi Eyebrows Threading) in a C-3 zoned area. CU-12-19. Tax Parcel No. 23-021.00-512. Motion Carried Unanimously.***

**2. 204 E. Main Street – Preliminary Major Land Development Plan for the New Castle County Southern Library, zoned C-2 on 7.94+/- acres. Plan calls for a 40,000 square-foot, one-story library and associated site improvements to take place in two phases. Tax Parcel No. 23-009.00-248.**

Steve Woodin with Apex Engineering presented the Preliminary Plan.

- The Preliminary Plan is basically the same as the Concept Plan submitted to Mayor and Council in August.
- Duffield's preliminary comments have been received and will be addressed.

Morris Deputy asked if an arrangement with the Promenade developer and New Castle County has been agreed upon to cost-share the north/south portion of Library Drive. The construction responsibility for the roads should be stated on the Record Plan, prior to recordation.

Mr. Woodin said the County will be constructing Green Street to the roundabout and they have committed to construct the north leg of Library Drive. Construction of the south leg of Library Drive is being discussed with the developer of the Promenade.

Chip Roberts asked Morris if the Town wanted another roundabout. He pointed out that there have been several accidents already at the roundabout on St. Anne's Church Road and the developments aren't fully built-out yet. He commented on the volume of traffic at the intersection of Rt. 299 and Silver Lake Road and the length of time it takes to get through the intersection during the school year.

Morris replied that roundabouts usually help avoid collisions compared to "T" intersections. If the board has any concerns, Council would want to know that.

Robby asked if Green Street will eventually run to Silver Lake Road.

Morris explained that Rt. 299 will be upgraded from Catherine St. to SR1 to help alleviate some of the congestion. The current plan is to connect the Green Street Extension to another roundabout at Dickenson Blvd. (near Walgreen's) and continue Green Street through the Acme parking lot to Silver Lake Road.

Robby Hutchison asked if the entrance to the library from 299 will be a right-in/right-out.

Steve Woodin said DelDOT will stub the road for the entrance to the library and the adjoining development – it's not part of New Castle County's contract. Mr. Woodin said the library will also have a left in from 299 – no left turn out is proposed.

Robby commented on how difficult it is to turn left (west) from the post office exit. Morris pointed out that a light will be installed at that location (New Street) as part of the Rt. 299 upgrades. The two-year project is scheduled to start in the spring of 2020 and finish in 2022.

***Moved by Robert Hutchison and seconded by Gene Bloemker to recommend Mayor and Council approve the Preliminary Major Land Development Plan for the New Castle County Southern Library in a C-2 zone, on 7.94 acres. Tax Parcel 23-009.00-248. Motion Carried Unanimously.***

Chip Roberts asked if the roundabout concerns should be part of the motion. Morris said the comments will be in the minutes.

**3. Parcel 4, Middletown Marketplace – Phase II – Preliminary Major Land Development Plan for the development of a 6,600 square-foot retail building alongside the existing Food Lion, a C-3 zoned area on 7.4+/- acres. Tax Parcel No. 23-005.00-295.**

Rick Woodin, with Woodin & Associates, presented the plan proposing a 6,600 square-foot retail addition on the north side of the Food Lion.

- Stormwater management was previously calculated.
- Duffield's comments will be addressed prior to Record Plan approval.
- The original plan approved 15 – 20 years ago, showed the parking area expansion. The gap in the parking area between the Food Lion and Bike Line building will be used for drainage and utilities.
- The building will be sprinklered.
- The new façade being installed on the Bike Line building will extend to the addition and onto the Food Lion building; awnings will replace the overhang porches.
- All entrances are existing.

***Moved by Robert Hutchison and seconded by Joe Pontak to recommend Mayor and Council approve the Preliminary Major Land Development Plan for the development of a 6,600 square-foot retail building alongside of the existing Food Lion in a C-3 zoned area on 7.4 acres. Tax Parcel No. 23-021.00-295. Motion Carried Unanimously.***

**4. Parkway at South Ridge – Record Minor Re-subdivision Plan for the modification of a sidewalk location in an open space area located adjacent to Bunker Hill Road and Lake Seymour Drive. Tax Parcel No. 23-021.00-421.**

Rick Woodin, with Woodin & Associates, explained that one portion of sidewalk near the pond was never built. He pointed out there are several internal access points that provide a connection to the existing sidewalk on Bunker Hill Road. He said the modification was discussed with Town personnel, and it was suggested that a Minor Re-Subdivision Plan should be presented for Council's decision. The developer is requesting approval to not install that portion of sidewalk. The development is close to build-out, and the sidewalk does not seem to be warranted at this time.

Robby Hutchison commented that if the lack of a sidewalk had been an issue with the residents, it probably would have been brought to the Town's attention by this time.

Morris Deputy said the ponds are not recreational and DNREC does not want people encouraged to be around the ponds.

***Moved by Robert Hutchison and seconded by Charles Roberts to recommend Mayor and Council approve the request for the modification of the plan to remove the sidewalk adjacent to the open space area and stormwater management pond located on Bunker Hill Road and Lake Seymour Drive. Tax Parcel No. 23-021.00-421. Motion Carried Unanimously.***

**5. Review Ordinance 19-09-01 to amend the Town of Middletown Comprehensive Plan, including Map 7, Future Land Use and Annexation Areas.**

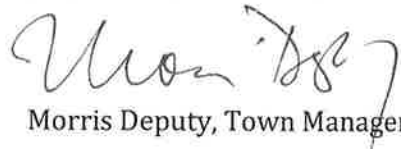
Morris Deputy: At the time the Town approved the annexation of the 119-acre Money parcel, these two parcels were not included in the Comprehensive Plan. This Ordinance will amend the map to include the two parcels; if the Ordinance is approved and if the owners are still interested, an annexation request will be presented. Annexing the parcels will eliminate having two pockets of county land in the middle of the Town's boundary.

***Moved by Robert Hutchison and seconded by Charles Roberts to recommend Mayor and Council adopt Ordinance 19-09-01 to amend the Middletown Comprehensive Plan, including Map 7, Future Land Use and Annexation Areas. Motion Carried Unanimously.***

***Moved by Charles Roberts and seconded by Gene Bloemker 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 9/24/19

Cc: Mayor and Council  
Planning and Zoning Members  
All Attendees  
Duffield Associates