

PLANNING & ZONING MEETING

JUNE 26, 2025

ATTENDEES: David Chillas, Chairman
Todd Frey, PE
Frank Bailey, Fire Chief
Donald Dibert
Donald Hall
Chuck McCausland
Jenn Parrish
Joe Pontak
Gretchen Rachko
Keith Thompson
Frank Bailey

AGENDA:

1. 1070 Industrial Drive, Suite 4 – Conditional Use Permit request for an electrical contractor’s office (Summerfield Electrical Solutions) in an M-I zoned area. CU-09-25. Tax Parcel No. 23-012.00-020.

Eric Summerfield requested approval to open Summerfield Electrical Solutions at 1070 Industrial Drive, Suite 4. The business provides service for commercial and residential projects. Employees will pick up supplies and material from the warehouse and proceed to the job site.

Joe Pontak asked if any outdoor storage was proposed and if vehicles would be parked outside. Mr. Summerfield responded that all supplies/material would be stored inside. Vehicles are taken home.

Moved by Jenn Parrish and seconded by Don Dibert to approve 1070 Industrial Drive, Suite 4, for Conditional Use Permit request for an electrical contractor’s office (Summerfield Electrical Solutions) in an M-I zoned area. CU-09-25. Motion Carried Unanimously.

2. 705 Middletown Warwick Road – Preliminary Minor Land Development Plan for the demolition of a portion of the existing Walmart parking area for the construction of a 1,618+/- square-foot convenience store and a 4,775+/- square-foot canopy over eight (8) MPD fueling stations, with associated parking, striping and utility improvements. C-3 zoned area. Tax Parcel No. 23-022.00-002.

Ashley McCaa and Jamie Andruzzi with Bohler Engineering, presented the Preliminary Minor Land Development Plan for a fuel improvements project at the Walmart site in Middletown, to better enhance the existing store. The property is zoned C-3 and the project is permitted by-right. No variances are proposed; the plan is code compliant.

- The plan proposes to add a fuel service station and a small convenience store at the front, unutilized portion of the parking lot.
- The convenience store will be approximately 1,600 square-feet to be used for gas payments and small snacks.
- Eight (8) MPD fuel pumps with underground storage tanks and a 4,775+/- square-foot canopy over the fuel pumps are proposed.
- The site will still meet code for parking, providing 881 parking spaces. Additional parking will be provided at the northeast side of the store.
- Utility modifications are proposed to support the project.
- A large stormwater management pond is located behind the Walmart store; no additional stormwater management is required.
- The internal Walmart drive aisles will be used for access to the fuel area; no changes are proposed to the existing entrances/exits.
- No concerns have been expressed by DelDOT's review at this time. The plan will continue to follow DelDOT's requirements through the review process.

Jenn Parrish questioned how many gallons of gas are expected to be sold per day.

Jamie Andruzzi said the amount is unknown; the fueling station will operate like any other fueling station. Three, 30,000 gallon underground storage tanks will be installed.

Ms. Parrish reported each gas station in Middletown loses 3 to 7 gallons of gas per day in vapors, per 1000 gallons; that averages to about 12,264 gallons per year between the seven gas stations in Middletown. Studies show that many childhood cancers are linked to gas stations. She questioned why another gas station was needed and what the benefits are.

Mr. Andruzzi commented the use is permitted by-right. The station will provide a convenience for Walmart customers.

Don Dibert asked if diesel would be available.

Mr. Andruzzi responded it would.

Chuck McCausland asked if the roadway paralleling Middletown-Warwick Road (internal access road) and access to the Kohl's shopping area will be used to access the fuel station.

Mr. Andruzzi said the fueling trucks can access either entrance (off Merrimac or the service road); most fueling will take place during off-peak hours. Vehicles will use the internal drives; it will be up to the driver to choose the entrance.

Jenn Parrish questioned the impact on walkability access and the closeness of the station to a neighborhood.

Andruzzi pointed out sidewalks are currently in place with access to the Walmart store. The convenience store is meant for customers to pay for gas and purchase small snacks. A lot of foot traffic to the convenience store is not anticipated.

On the concern for residents with toxins in the air, this station will function like any other gas station in the area.

Todd Frey indicated the Dash-In station is closer to the apartments and townhouses in Middletown Village.

Joe Pontak questioned the use of the convenience store, how long the project will take and when it would start.

Mr. Andruzzi replied it will be used to pay for gas and pick up snacks; it will not be a sandwich shop.

Construction could possibly start in the first or second quarter of next year.

Pontak asked if the project could hold off until the proposed restaurant is finished (Freddy's), instead of having two projects under construction in the same shopping center at the same time. He would like Mayor & Council to consider that as a condition when reviewing.

Joe Pontak asked if the space to the right of the station will become green space or parking area. Mr. Andruzzi noted a few spaces for parking will be along the building. The rest of the area is for vehicular circulation in and out of the fueling area.

Joe Pontak questioned the vehicle circulation around the fuel area and how vehicles access the site. Mr. Andruzzi explained vehicles accessing the fueling station would utilize Walmart interior drive aisles. As the plans depict, there are two access points to the fueling area from the main interior drive aisle that runs along the front of the property, and a third entry-way behind the convenience store.

Pontak asked for clarification on where existing parking and drive aisles were relative to proposed improvements, and what would remain in place.

Andruzzi provided clarification by pointing to the plan on the screen and explaining which existing parking areas would remain and which would be converted to drive aisles needed to support the fuel project.

Pontak asked for clarification on how trucks would access the fuel area and fill the storage tanks. Andruzzi noted that trucks already must access the site to service the existing Walmart. Fuel trucks would utilize those same entrances off Middletown Warwick Road and Merrimac Avenue, and the same access ways. They would take specific routes around the site, away from the main pedestrian access ways, and fill the underground storage tanks primarily during off-peak hours.

Moved by Chuck McCausland and seconded by Keith Thompson to approve 705 Middletown Warwick Road – Preliminary Minor Land Development Plan for the demolition of a portion of the existing Walmart parking area for the construction of a 1,618+/- square-foot convenience store and a 4,775+/- square-foot canopy over eight (8) MPD fueling stations, with associated parking, striping and utility improvements. C-3 zoned area. Motion Carried 6 to 1. Jenn Parrish voted "Nay" based on health concerns.

3. 5187 Summit Bridge Road – Preliminary Major Land Development Plan for a project to combine three (3) lots totaling 3.01+/- acres, to develop two commercial/flex buildings in two phases, in a C-3 zoned area. Phase 1 consists of a 9,900 square-foot building with associated parking and site improvements. Phase 2 consists of a 9,480 square-foot building with associated parking. Tax Parcel Nos: 23-028.00-253; 23-028.00-254 and 23-028.00-255.

Denis Hulme with Woodin & Associates presented the Preliminary Plan combining three lots and proposing two commercial/flex buildings at 5187 Summit Bridge Road.

- The property is on the east side of Summit Bridge Road, across from the Springmill development.
- Two flex-space buildings are proposed for lease to contractors' offices and various other office uses...whatever is permitted in the C-3 zoning district.
- A preliminary entrance plan has been submitted to DelDOT.
- The entrance is proposed on the south side of the property.
- Water and sewer are proposed to be extended from the Springmill development.

- Stormwater will be managed on the property.
- The project will be constructed in two Phases: Phase 1 will consist of a 9,900 square-foot building with associated parking and site improvements; Phase 2 will consist of a 9,480 square-foot building with associated parking.

Frank Bailey asked if an entrance plan has been approved by DelDOT, and asked if a right-in/right-out was proposed.

Mr. Hulme said they presented a preliminary plan to DelDOT last year when the property was annexed and a right-in/right-out was discussed. Based on that meeting, a location and type of entrance was determined. A plan was recently submitted; they will make a recommendation on the entrance and issue a Letter of No Objection.

Moved by Keith Thompson and seconded by Don Dibert to approve 5187 Summit Bridge Road – Preliminary Major Land Development Plan for a project to combine three (3) lots totaling 3.01+/- acres, to develop two commercial/flex buildings in two phases, in a C-3 zoned area. Phase 1 consists of a 9,900 square-foot building with associated parking and site improvements. Phase 2 consists of a 9,480 square-foot building with associated parking. Motion Carried 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,

Todd Frey, P.E.

Ry: 6/30/25
Cc: Mayor & Council
P & Z Members
All Attendees
Verdantas

Note to file: Most of the conversation between Joe Pontak and Jamie Andruzzi was not recorded. When Joe started asking questions, Andruzzi walked away from the mic over to Joe's seat. Joe left his seat and pointed out the areas of his concern on the overhead screen and Andruzzi addressed those concerns accordingly.