

PLANNING & ZONING MEETING

JANUARY 20, 2022

ATTENDEES: David Chillas, Chairman
Morris Deputy, Town Manager
Frank Bailey, Fire Chief
Gene Bloemker
Donald Dibert
Bruce Orr
Joe Pontak
Gretchen Rachko
Charles Roberts
Craig Sherman
Scott Unruh

AGENDA:

1. 119 Patriot Drive, Suites E and F – Conditional Use Permit request for a fabrication shop (US Piping, Inc.) to support piping projects in Middletown and surrounding areas, in an M-I zoned area. CU-01-22. Tax Parcel No. 23-041.00-019.

Dwayne Curlett and Jim McFadden with US Piping requested Conditional Use Permit approval to open a fabrication shop at 119 Patriot Drive to serve local clients. The main shop is located in Pennsylvania. They manufacture high quality, stainless steel piping and are currently working with Datwyler.

Joe Pontak asked where material will be stored and if additional employees will be hired. Mr. Curlett said everything will be kept inside. The number of employees will vary, but average about 6. The shop in PA will support the bulk of the work.

Bruce Orr asked if the space will be used for just storage. Mr. Curlett said they will fabricate stainless steel pipe and store it. Argon gas is used; no other hazardous materials will be onsite.

Moved by Gene Bloemker and seconded by Don Dibert to recommend Mayor and Council approve 119 Patriot Drive, Suites E and F – Conditional Use Permit request for a fabrication shop (US Piping, Inc.) to support piping projects in Middletown and surrounding areas, in an M-I zoned area. CU-01-22. Tax Parcel No. 23-041.00-019. Motion Carried Unanimously.

2. 118-120 Sleepy Hollow Drive, Suite 3 – Conditional Use Permit request for an additional 3,400 square-foot space for existing tenant (Paul Davis Restoration) in an M-I zoned area. CU-02-22. Tax Parcel No. 23-021.00-129.

Robert Mullin, owner of the property, said the Conditional Use Permit is to allow the existing tenant, Paul Davis Restoration, to use the space for household goods storage. Paul Davis is a fire restoration company working primarily for insurance companies. One of their services is the storage of furniture and appliances for clients while a residence is being rebuilt or repaired.

Bruce Orr asked if cleaning and restoration products and equipment are stored there also. Mr. Mullin said products and equipment (shop vacs and dryers) are primarily in the warehouse they currently have.

Craig Sherman asked if the cleaning included wastewater. Mr. Mullin said there is no wastewater at all.

Moved by Gene Gloemker and seconded by Joe Pontak to recommend Mayor and Council approve 118-120 Sleepy Hollow Drive, Suite 3 – Conditional Use Permit CU-02-22 request for an additional 3,400 square-foot space for existing tenant Paul Davis Restoration, in an M-I zoned area. Tax Parcel No. 23-021.00-129. Motion Carried Unanimously.

3. 517 Aidone Drive – Conditional Use Permit request for an in-home business transferring gun ownership to new owners (Allgood Firearms) in an R-3 zoned area. CU-03-22. Tax Parcel No. 23-021.00-072.

Kevin Allgood requested approval to operate the business from his residence at 517 Aidone Drive. The business involves handling gun ownership transfer from an on-line broker to the new owner.

Don Dibert asked if the guns would be in the house or if he just processed the paper work. Mr. Allgood said the sale of the gun happens on line; he handles the paper work; after approval, the broker will ship the gun to him, and the client will then pick up the gun. The gun will be kept in a gun safe until the owner picks it up, usually within a couple of days. There will be no gun inventory to purchase at his residence. He plans to build the business and eventually open a store-front.

Gretchen Rachko asked if the neighbors were aware of the proposed business. Allgood said he talked with his neighbors and one neighbor came to the meeting with him in support of the business.

Craig Sherman pointed out the same type of presentation came before the committee about two years ago. He asked Mr. Allgood if he had any ATF inspections yet and if additional employees will be hired.

Mr. Allgood said he first has to have a business license from the State and Town before going forward. He is the only employee.

Sherman asked if the address will be used in advertising. Allgood said in order to get his license from the ATF, he has to use the physical address where he will conduct business and where the guns will be shipped.

Bruce Orr asked what type of security would be in place.

Allgood said he has a security system and two gun safes. He intends to get a dedicated gun safe for any fire arm sales.

Joe Pontak asked if any ammunition would be sold.

Allgood said ammunition will not be sold. The only ammunition on hand will be his own.

A short discussion followed on the request two years ago for this type of business on Haggis Road and was turned down because it was near a school. Allgood said he is 1.9 miles from a school. He will have the background approval before a gun is shipped.

Craig Sherman said he will make a motion but cannot vote favorably for it because he feels it will be detrimental to the public welfare. He understands the intentions are good but he cannot support it.

Moved by Craig Sherman and seconded by Gene Bloemker to approve 517 Aidone Drive, Conditional Use Permit request for an in-home business transferring gun ownership to new owners (Allgood Firearms) in an R-3 zoned area. CU-03-22. Tax Parcel No. 23-021.00-072. Motion DENIED Unanimously.

Moved by Mr. Craig Sherman and seconded by Charles 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 1/25/22

Cc: Mayor and Council
P&Z Members
All Attendees
Duffield Associates