

Town of Cheswold
1856



State of Delaware
1787

**PLANNING COMMISSION
MEETING MINUTES
Thursday, May 28, 2026
691 Main Street
Cheswold, Delaware 19936**

ATTENDANCE VIA ZOOM WAS AVAILABLE

Planning Commissioners in Attendance:

Mr. Stephen Williams – Chairman
Mr. Joe Schell –Chairman
Ms. Barbara Cooper Commissioner – via zoom
Mrs. Sam Callender– Commissioner – via zoom
Mr. Alexander Dewey- Commissioner- absent

Also in Attendance:

Ms. Sarah Cahall, Assistant Town Land Use Administrator and Town Engineer Tom Wilkes.

Meeting Opening:

The meeting was called to order at 5:01 p.m., by Chairperson Steve Williams. The opening was followed by a Salute to the Flag and a Moment of Silence.

Roll Call:

Assistant Land Use Administrator Sarah Cahall conducted a roll call, and it was acknowledged that a quorum of members was in attendance, and the meeting proceeded.

Meeting Minutes: A motion was made by Commissioner Barbara Cooper, and seconded by Chairperson Steven Williams, to approve Thursday, February 12, 2026. All in favor; None opposed.

NEW BUSINESS

Application 2026-151: The applicant submitted a Preliminary Plan for Parcel 4-03-047.00-01-02.00-000 (McGinnis Green, Lot 4), owned by McGinnis Green Lots 3 and 4 LLC, proposing the development of a Dunkin' Donuts with a drive-thru and associated parking.

Cliff Mumford P.E. of Davis Bowen Friedel presented a concept plan for a proposed 2,373-square-foot Dunkin' Donuts restaurant with drive-through service. Mr. Mumford was joined by Andy Warfield and Nick Nistazos.

- Location: Jerome Drive, adjacent to Taco Bell within the McGinnis Green Shopping Center
- Parcel: Lot 4, approximately 1.5 acres
- Zoning: C-2 Highway Commercial
- Use: Restaurant with drive-through (permitted use under the Land Use Ordinance)
- Parking: 35 spaces
- Drive-through: Double-stacked configuration with two menu boards designed to exceed standard capacity and prevent overflow onto Jerome Drive
- Sidewalk connections: Pedestrian access to neighboring properties and the retail center
- Proposed utility connections including water, sanitary sewer, and grease waste systems
- Coordination with applicable reviewing agencies, including:
 - Kent Conservation District
 - Kent County Public Works
 - State Fire Marshal
 - Tidewater Utilities
 - Chesapeake Utilities

Mr. Mumford also stated that the applicant had reviewed the Town Engineer's comment letter and would address the outstanding items during future plan submissions.

Commissioner Barbara Cooper asked if the preliminary plans were signed.

Mr. Mumford stated that he would send a revised copy of the signed plans.

Town Engineer Tom Wilkes reviewed his April 29, 2026, comment letter with the Planning Commission and applicant. Discussion included:

- Requirement for signed and sealed preliminary plans
- Regulatory approvals and agency coordination
- Utility connections and grease trap details
- Stormwater and sanitary sewer profiles
- Lighting and paving details
- Deed restrictions and covenants
- Requirements for final plan submission

The Planning Commission discussed which items were required at the preliminary stage versus those that could be deferred until final plan review.

A motion was made by Commissioner Callender to recommend the approval of the Preliminary Plan for Parcel 4-03-047.00-01-02.00-000 (McGinnis Green, Lot 4), owned by McGinnis Green Lots 3 and 4 LLC, proposing the development of a Dunkin' Donuts with a drive-thru contingent upon submission of signed and sealed plans; and the applicant addressing all items contained within the Town Engineer's comment letter prior to the submission of the final plan approval. All in favor; none opposed.

Application 2026-152: The applicant submitted a Concept Plan for Parcel 4-03-04600-021-0100.000, 5867 N. Dupont Hwy Dover, DE19901, owned by Villatoros Properties LLC, Interior Build-Out (Existing Garage – Upper Level) Proposed interior build-out of the upper level of an existing garage for use as administrative office space for construction operations, including multiple contractor offices and a small, shared utility area. No residential use proposed.

Ms. Liz Castellanos appeared on behalf of the applicant and assisted with interpretation during the presentation.

- Four contractor offices
- Two restroom facilities
- A small, shared break area with a microwave and sink

Ms. Castellano stated that no residential use was proposed and that no exterior structural changes to the building were anticipated.

Commissioner Cooper discussed the proposal and identified several deficiencies within the submission related to the Town of Cheswold Land Use Ordinance, specifically the requirements contained within Table 4-1 for concept plan applications. Discussion included:

- Missing application information and zoning identification
- Lack of a complete site plan
- Absence of a north arrow and required site details
- Need for parking, setback, easement, and accessibility information
- Requirement for elevation drawings
- ADA accessibility requirements for commercial occupancy
- Potential building code and commercial occupancy considerations associated with converting the upper level of the garage into office space

Chairman Williams expressed that the plans didn't show any ADA compliance for it being commercial use.

The Planning Commission advised the applicant that additional information, elevation plans and revised plans would be required prior to further consideration of the application. The applicant acknowledged the comments and stated that revised materials would be prepared and resubmitted.

No action was taken on the application.

The applicant thanked the Planning Commission for its time

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OLD BUSINESS None.

Regular Meeting Minutes

ATTENDEE COMMENTS: None.

TOWN ENGINEER COMMENTS: None.

ASSIT. LAND USE ADMINISTRATOR COMMENTS: Thanked everyone for their continued support and dedication. She welcomed Mrs. Callender and Mr. Schell to the Commission. She informed them that the annexation process for Aquila Farms will go in front of the Town Council June 1, 2026. They will be presented with an annexation application along with a few Ordinance and resolution. If everything works out accordingly the applicant will be presented at the Planning Commission in July.

COMMISSIONERS COMMENTS: Commissioners welcomed Mrs. Callender and Mr. Schell to the commission.

NEXT MEETING DATE: Thursday, June 11, 2026

MOTION to ADJOURN:

At 5:53 p.m. a motion was made by Commissioner Sam Callender, seconded by Commissioner Barbara Cooper, to adjourn the regular meeting. All in favor; none opposed.

Respectfully submitted,
Sarah Cahall, Assistant Land Use Administrator