

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
September 3, 2019
6:30 P.M.**

CALL TO ORDER: The Planning Commission Meeting was called to order at 6:30 PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF SILENT PRAYER FOR THOSE WISHING TO DO SO:

ROLL CALL:

CHAIRMAN	CHARLES LINDELL	PRESENT
COMMISSIONER	ROBERT ANDERSON	PRESENT
COMMISSIONER	LEON BACKER	PRESENT
COMMISSIONER	JOSE MATTHEWS	PRESENT
COMMISSIONER	KRISTA NUSCHKE	PRESENT
COMMISSIONER	MARY STEPPI	PRESENT
COMMISSIONER	VACANT	

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Approval of the minutes from the August 6, 2019 Planning Commission Meeting

ACTION: Commissioner Nuschke made a motion to approve the minutes from the August 6, 2019 Planning Commission meeting. The motion was seconded by Commissioner Mathews.

VOTE: 5 in favor, 1 abstained and 1 vacancy Motion carried

Lindell – Yes, Anderson – yes, Backer – Abstained, Matthews – Yes, Nuschke – Yes, Steppi – Yes

Commissioner Backer abstained due he was absent for the August 6, 2019 meeting.

NEW BUSINESS:

Review Petition 19-08, Tax Parcel Number 1900-200-052

Code Officer Scott Allen read the summary analysis.

Chairman Lindell requested the applicant to come up to the podium.

Applicant Arkadiusz Jablonski, interpreted by his sister Jodie Jobko stated that he would like to build an addition on the side of his kitchen 6'x12'. This will be used for a laundry room and powder room. Ms. Jobko stated that they have not inquired as to how big the powder room needed to be per code. She stated they were not sure if the variance is needed but was applying for it if so.

Chairman Lindell asked that the applicant (sister) at this point you do not have a contractor for the 6'x12' dimension and is it going to be exactly 6' x12'. He stated if you cut back and build it 5'5" x 12 the town would not have to grant you a variance. asked do you really have a variance. Chairman Lindell stated to Jodi that If you built the addition six inches to a foot smaller you would be within compliance of the 5 feet set back and there would not be a variance.

Ms. Jobko stated they were having a really hard time finding a contractor to come out and provide them with a layout of work to be done. She stated since they are not even sure they can build. The contractors are stating only serious inquiries because it is to expensive for them to provide a plan.

Chairman Lindell questioned Ms. Jobko are we here this evening to grant you a variance because we don't really have the specifications and informed again that if you stay within the five foot setback they would not need a variance granted. That they would comply.

Ms. Jobko stated that they did they measurements on the larger size.

Chairman Lindell stated again that with out final footage a variance cannot be granted. That at this point they petitioner is asking for guidelines on size they can build. He asked Town Manager John Giles is he correct.

Town Manager Giles questioned what will happen with the sidewalk that is on the side of the house where the addition is requested to be built.

Town Manager Giles asked Ms. Jobko are you putting the house up for sale.

Chairman Lindell asked are you wanting to have the powder room added on to make the house more sellable.

Ms. Jobko responded yes and also because there is no bathroom located on the first floor of the house.

Commissioner Steppi asked will the addition remove a side entrance and leave only a main entrance.

Ms. Jobko stated the side entrance will be moved a little bit.

Commission Steppi is concerned about egress compliance.

Town Manager Giles stated that the proposed addition is right in the middle of a sidewalk on the plan and that they could already be at variance.

Code Officer Allen stated that Kyle said they are currently at 6' 4" existing.

Chairmen Lindell said that to be compliant they would have to build no bigger than the 5 foot but can go 12 foot to stay with in code. There is also a concern about no exit on the side.

Commissioner Anderson asked is there an exit on the back side of the house.

Ms. Jobko responded that there is a porch that does have an exit. There are 2 steps that is an outside entry for the basement.

Commission Anderson asked is that a first floor exit.

Ms. Jobko response was yes.

Chairmen Lindell asked if this was a Bilko door coming out of the basement.

Ms Jobko responded no.

Town manager Giles is questioning the sidewalk even and the 5 feet setback. He is concerned if there is a fire is there enough room with the sidewalk there.

Commissioner Anderson asked are you stating the entire sidewalk needs to be slid over..

Town Manager Giles responded yes on that side it does.

Chairman Lindell stated even though it is existing.

Town Manager Giles said if you are changing the property that you will need to come into compliance.

Chairman Lindell asked if there are any more questions from the commissioners.

Chairman Lindell is stating to Ms. Jobko that to make this work and to be in compliance with your yard to code you would have to bring that addition 12 long by 5 feet. Not 6 feet and that you would also have to remove the sidewalk to be 5 feet from the fence.

Ms. Jobko stated the sidewalk would have to be moved because of the exit door being closer to the house.

Chairman Lindell said that this would be approved with the dimension being whatever length you want but no wider than 5 feet. You will also have to move the sidewalk to be able to move the door down. That the petitioner is free to build it no greater than 5 feet and does not need a variance approval.

Ms. Jobko stated that is doable. That the powder room is to be 5 feet by 5 feet is what they wanted.

Town Manager Giles stated if no part of the addition is greater than the 5 feet setback you are fine.

Chairman Lindell asked if they have any other further questions.

Town Manager Giles informed her to work with the code office and they will help them understand how far out based on the drawings that they can build it.

Chairman Lindell asked does this information satisfy all of the commissioners.

Commissioner Anderson said he was in agreeance.

Chairman Lindell stated that at this point Mr. Joblonski and Ms. Jobko are requesting to withdrawal their application.

Ms. Jobko said yes.

Chairman Lindell told Ms. Jobko that once they get the contractor if need be come talk to code and so they can let them know how far out they need to build as well as the sidewalk is going to need to be moved as well.

Town manager Giles also explained to her to contact code with any questions they shall have.

Chairman Lindell excused Mr. Joblanski and Ms. Jobko and concluded that the new business has ended at 6:59.

OLD BUSINESS:

Review of the Comprehensive Plan

Chairman Lindell questioned Mr. Sean O'Neill about the agenda and schedule that was sent out about a meeting in December and generally there was not a meeting. Did this make available the ability to have a planning commission meeting in December.

Town Manager Giles responded that yes it does but a special meeting for Comprehensive plan can be scheduled.

Mr. Sean O'Neill with the University of Delaware gave a lengthy presentation regarding the upcoming process to update the Town of Elsmere's Comprehensive Plan.

The Commissioners and Sean O'Neill had multiple discussions regarding ecstatic's and how to make changes and updates to the Comprehensive Plan and understanding how the process works.

At this time Manager John Giles went through the Elsmere 2010 Plan Recommendations Housing recommendations, community facilities and service recommendations, transportation recommendations, environmental resources recommendations, land use recommendations, and intergovernmental coordination, which resulting in lengthy conversations.

Mr. O'Neill recommended to the commissioners that if there is anything that you want in the comprehensive plan to please put them in there but be careful because it is a legal document. He explained to the commissioners that they are the ones responsible for writing the comprehensive plan and if they want change and expectations then include it. He then stated that the council approves the plan and the Governor certifies it.

Commissioner Steppi asked how we can get the public more involved. She also said that some of the recommendations will never be attained and are outdated. She recommended try to reword them.

Mr. O'Neill agreed that yes rewriting the words in a different way could help.

Mr. O'Neill stated that he encouraged public events and would be a great idea and would be happy to attend to discuss and get public feedback. He also discussed that in October or November to have an open house for the public to come in and discuss their concerns or give feedback. Maybe have a comment box for the public.

Chairman Lindell stopped the meeting to excuse Commissioner Backer at 7:48.

Mr. O'Neill stated that he would continue to communicate through Town Manager John Giles and forward the materials and information to him prior to the next meeting.

Mr. O'Neill stated he would forward it to the Commissioners.

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: Chairmen Lindell made a motion to adjourn the meeting. The motion was seconded by Commissioner Anderson.

VOTE: 5 in favor, 1 absent, and 1 vacancy Motion carried

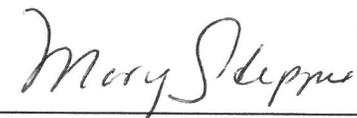
Lindell – Yes, Anderson – Yes, Backer – Absent, Matthews – Yes, Nuschke – Yes, Steppi – Yes

At this time, the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the June 04, 2019 Planning Commission meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.



CHARLES LINDELL, CHAIRMAN



LEON BACKER, SECRETARY
ACTING SECRETARY