

**TOWN OF ELSMERE  
PLANNING COMMISSION  
MEETING MINUTES  
April 04, 2017  
6:30 P.M.**

**CALL TO ORDER:**

**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	ANDREW FAVREAU	PRESENT
COMMISSIONER	SALLY JENSEN	PRESENT
COMMISSIONER	CHARLES MCKEWEN	ABSENT
COMMISSIONER	MARIANNE SKIPSKI	PRESENT

**PUBLIC COMMENT:**

Mayor Steven Burg stated that he had received one comment regarding Petition 17-04 with concerns about parking.

**APPROVAL OF MINUTES:**

Approval of the Minutes from the March 07, 2017 Planning Commission meeting

**ACTION:** Commissioner Backer made a motion to approve the minutes from the March 07, 2017 Planning Commission meeting. The motion was seconded by Commissioner Favreau.

**VOTE:** 4 in favor, 2 abstain and 1 absent Motion carried

Lindell – Yes, Anderson – Abstain, Backer – Yes, Favreau – Yes, Jensen – Yes, McKewen – Absent, Skipski – Abstain

**NEW BUSINESS:**

Review Petition 17-03, Tax Parcel Number 1900-200-091

The applicant, Jonathan Watts, stated that there is currently no fence and that he is requesting approval to install an eight foot high fence along the back side of his property near the railroad.

The commissioners asked questions about the application. Chairman Lindell inquired about fences on neighboring properties. The applicant stated that there are fences on both sides of his property. On one side, there is an eight foot fence and on the other there is a split rail four foot fence. The applicant also stated that he is unaware of any easements on his property.

Code Enforcement Officer Melissa Faedtke stated that the town has no concerns with the application.

**ACTION:** Commissioner Favreau made a motion to recommend approval of Petition 17-03 to the Board of Adjustment to install an eight foot chain link fence due to the fact that it meets the harmonious development intent of Town of Elsmere Code Section 225-9. The motion was seconded by Commissioner Jensen.

**VOTE:**           6 in favor and 1 absent   Motion carried

Lindell – Yes, Anderson – Yes, Backer – Yes, Favreau – Yes, Jensen – Yes, McKewen – Absent, Skipski – Yes

Review Petition 17-04, Tax Parcel Number 1900-500-105

The applicant, Dean Grivas, stated that his property at 510 Kirkwood Highway is currently vacant and he would like to open a food establishment. Mr. Grivas further stated he would also like to turn the second floor into an apartment.

The commissioners asked questions about the application. Mr Grivas discussed the requirement for parking and mentioned that other businesses in the area do not have parking. In response to the commissioners’ questions, Mr. Grivas stated that he is planning to be open approximately 10 am to 9 pm, that no alcohol would be served, and that the alley along the building could be used for deliveries.

Mr. Grivas described the second floor area as being similar to a loft and stated that he has no interest in renting it out, that he just wants it to be able to be occupied by a family member.

Mr. Grivas further explained the plan for the sub shop. He stated that there will be a few serving tables, that he does not expect that customers will be there long, and that they are also planning on doing a delivery service with bicycles.

Town Manager John Giles stated that a cease and desist order has been issued for the apartment that is on hold pending the outcome of the petition.

Town Manager Giles asked for the applicant's plan for parking. A short discussion followed about on-street parking in the neighborhoods. Town Manager Giles explained that the Planning Commission will determine the impact on the neighboring area. Mr. Grivas stated that he needs to be able to run a business at this location so that it no longer remains vacant.

Councilman Ted Pfirrmann, 2nd District, stated that he received one comment with a concern about parking.

Fred Carlson, the resident at 104 Western Avenue, made some comments and stated that the approval for a car lot at this location stipulated that the upstairs was not to be used as an apartment.

Chief of Police Laura Giles stated that her concerns are related to pedestrian safety while crossing Kirkwood Highway.

Chairman Lindell commented that it is a small building and small property that is difficult to use.

In regard to the parking issue, Mr. Grivas stated that they may be able to present an agreement with the neighboring property to provide additional parking.

**ACTION:** Commissioner Anderson made a motion to recommend approval of Petition 17-04 to the Board of Adjustment as long as it complies with all codes. The motion was seconded by Commissioner Favreau.

**ACTION:** Chairman Lindell made a motion to amend the motion to add the restriction that no serving tables are to be inside the building. The amended motion was seconded by Commissioner Skipski.

**VOTE:** 6 in favor and 1 absent Motion carried

Lindell – Yes, Anderson – Yes, Backer – Yes, Favreau – Yes, Jensen – Yes, McKewen – Absent, Skipski – Yes

## **OLD BUSINESS:**

None

**ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:**

None

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

**ACTION:** Commissioner Backer made a motion to adjourn the meeting. The motion was seconded by Commissioner Skipski.

**VOTE:** 6 in favor and 1 absent Motion carried

Lindell – Yes, Anderson – Yes, Backer – Yes, Favreau – Yes, Jensen – Yes, McKewen – Absent, Skipski – Yes

At this time, the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the April 04, 2017 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.

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**CHARLES LINDELL, CHAIRMAN**

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**LEON BACKER, SECRETARY**