



Michael Hoffman, Esquire, Tarabicos Grosso, LLP, spoke on behalf of the applicant, Dewson Construction, Inc. Mr. Hoffman stated that the applicant is a custom home builder that primarily operates within New Castle County and has been operating since 1993. Mr. Hoffman stated that the subject property is known as 9 Jefferson Avenue and is composed of two adjacent parcels, which are zoned R-1 residential. Mr. Hoffman gave a history of the property and stated that the applicant is seeking a non-conforming use permit for a continuing commercial use. Mr. Hoffman further discussed proposed changes to the façade of the building and to the property and stated that the Board is not being asked to approve anything, instead they are being asked to evaluate whether the proposed use is consistent with the current legal non-conforming use.

Mr. Hoffman explained the proposed use of the building and stated that the hours would be 6:00 a.m. to 4:30 p.m. during the week, that customers and employees will utilize the parking lot, that there will be no big trucks or heavy equipment, such as backhoes, and that everything will be stored within the building such as saws and other tools, where any prefabrication or carpentry work will be done. Tim Dewson, the applicant and owner of Dewson Construction Company, in response to a question from the Board, stated that there will be no spray painting.

Board Member Smith asked the applicant whether he will install a sidewalk, that a lot of kids walk down the street and it would be nice to get them off the street. Mr. Dewson stated that he can keep four feet of blacktop along the curb to use as a sidewalk, but that he wants to remove some of the existing blacktop to create a green buffer between the building and the street.

In response to questions from Board Member Acton regarding back up vehicle alarms at 6:00 a.m., Mr. Hoffman stated that a pickup truck is more amenable to the neighborhood than the current tractor trailer traffic, and that in a legal perspective, it is consistent with the legal non-conforming use.

Councilwoman Joann I. Personti, 5th District, stated that she had just learned yesterday that members of the Planning Commission and the Board had been sought out for private meetings and that she was also asked for a meeting and declined and reported it to the town solicitor. Councilwoman Personti stated that she would like hear more about the fabrication and is concerned that we are now hearing different hours than were mentioned at the Planning Commission meeting. As a councilperson, she has concerns about sink holes and road issues in the area and the increase in construction vehicles that could be travelling on those roads.

Town Manager John Giles asked the applicant where impervious surface can be removed in addition to what had already been discussed. Town Manager Giles also asked Town Solicitor Edward McNally whether after issuing the permit the Town could hold the applicant to their testimony. Chairman Personti asked what will happen if the permit is approved and they don't update the building.





