

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
August 6, 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	ABSENT
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 July 02, 2019 Planning Commission Meeting

ACTION: Commissioner Matthews made a motion to approve the minutes from the July 02, 2019 Planning Commission meeting. The motion was seconded by Commissioner Nuschke.

VOTE: 4 in favor, 1 absent, 1 abstained and 1 vacancy Motion carried

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

Commissioner Anderson abstained due he was absent for the July 02, 2019 meeting.

NEW BUSINESS:

Review Petition 19-06, Tax Parcel Number 1900-400-624

Code Officer Scott Allen read the summary analysis.

Applicant Sarah Clark stated that she intends to provide the services of a holistic physical therapy business out of her home. She will have her clients enter in through the rear entrance of her house and that she has 2 deeded parking spots in the rear of her property. There will only be one client scheduled at a time.

Chairman Lindell asked that the applicant explain what holistic therapy entails.

Ms. Clark explains that holistic therapy is therapy of the mind, body and soul.

Chairman Lindell then stated that he would like to go over the list of code requirements, so they are noted on the record. He then asks what the hours of operation would be.

Ms. Clark stated that the hours would be very minimal to start off with, due to the fact she still works full-time elsewhere. The hours would be 11:00 AM to 6:30 PM. She stated that there would be no appointments on Sundays and there wouldn't be any appointments on Saturday at the beginning due to her hours at her full-time job. In the future if there are Saturday appointments, they would be between 11:00 AM and 3:00 PM.

Chairman Lindell asked if there would be any signs of any type to advertise the business.

Ms. Clark stated that she was hoping to place a sign in the rear of the property on the back gate stating "Clark's Residence" something small so the clients know they are at the correct location.

Chairman Lindell asked if there would be any other employees.

Ms. Clark stated that she would be the sole employee and no others working for her.

Chairman Lindell asked if there would be any foot traffic.

Ms. Clark stated that she would probably see no more than four to five clients per day.

Chairman Lindell asked if there should be any concerns with the number of clients that would be seen, would the two parking spaces be enough to where there wouldn't be any additional parking needed, or would she schedule the sessions to avoid those issues.

Ms. Clark stated that the clients would be scheduled by appointment only and the 2 parking spaces would be enough and no need for additional parking. All clients would be parking in the rear of the property and there would be no parking in the front of the property.

Chairman Lindell asked how many rooms inside the property would be used for the business.

Ms. Clark stated that the basement would be the main room used for business, however if the clients needed to use the restroom then they would need to go to the second floor.

Chairman Lindell asked if any medications would be disbursed.

Ms. Clark stated she would not be disbursing medications as she is not permitted.

Chairman Lindell then went over the provisions of the code of the Town of Elsmere to ensure the applicant is aware, that no modifications or expansions would be done to the home nor would the business exceed more than 25 percent of the gross floor area of the home and that no items would be stored outside.

Ms. Clark stated that there would be no additions, nor would the business exceed the percentage allowed and that there would be nothing stored outside.

Chairman Lindell then opened for questions from the other Commissioners.

Commissioner Nuschke asked how many residential vehicles will be parked at her residence other than the clients.

Ms. Clark stated only her car would be parked at the residence other than the one client she will have scheduled per visit.

Commissioner Steppi stated that she understood that Ms. Clark stated that she does not have any intention on expanding her business, however, how would she attract her clients and would she be advertising her business.

Ms. Clark stated that she does have advertisements in magazines and doctors' offices and currently has a website and a Facebook account.

Commissioner Steppi asked if her business does expand, would she be seeing clients until the evening hours as mentioned previously.

Ms. Clark stated that she does not plan to have a large business and the most clients she would see in a day would be 4-5 clients.

Commissioner Steppi asked if she was currently practicing business out of her home.

Ms. Clark stated that she is not currently practicing out of her home as she has not received the proper approvals, however she has seen one client in their own home.

Commissioner Steppi asked if there are certifications that are required each year to be able to conduct this business.

Ms. Clark stated that there is a license required and is renewed every two years.

Code Officer Allen stated that the Code Department has no oppositions and no further concerns.

ACTION: Commissioner Anderson made a motion that this petition meets the harmonious development of section 225-9 of the Code of the Town of Elsmere and to recommend to the Board of Adjustment to grant the special exception use under section 225-17 (C)1 in accordance with the Town of Elsmere Code 225-27 for Petition 19-06. The motion was seconded by Commissioner Steppi.

VOTE: 4 in favor, 1 opposed, 1 absent and 1 vacancy Motion carried

Lindell – Yes, Anderson – Yes, Backer – Absent, Matthews – Yes, Nuschke – No
Steppi – Yes

Commissioner Nuschke's reason for voting no was that she did not agree with adding more traffic in the area.

OLD BUSINESS:

Review of the Comprehensive Plan

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.

Mr. O'Neill then asked each of the Commissioners what their primary interests and concerns were.

Commissioner Anderson stated that he would like to see a plan in place to upgrade or replace the streets in the Town.

Commissioner Matthews stated he would like to regreen the area, although he knows that the Town is not a urban area, he would like to see the small town characteristics in place and enjoys the close nit community that the Town of Elsmere presents such as the tree lighting and other events the Town provides. He would like to see some of the aesthetics of the Town improved such as the obnoxious signs as you drive through Town.

Chairman Lindell stated that he would like to see more affordable housing and to maintain the value of the current homes. He would like to see improvements to the street lighting in the Town.

Commissioner Nuschke stated that she would like to see more affordable housing, a decrease in rental properties and an increase in home ownership. She would like to see the sidewalks and sewers repaired, as well as more recreational activities for children.

Commissioner Steppi stated that she would like to see more affordable homes and greening of the Town. She would like to see more character of a small town and better aesthetic appearance. She has had multiple conversations with the Chief of Police and feels the safety in town has been wonderful. She would like to see Code Enforcement be more proactive instead of reactive.

At this time Mr. O'Neill went over the maps in the current Comprehensive Plan to explain the difference between each map. There was a brief discussion between the Commissioners and Mr. O'Neill on the different zones in town and redevelopment of zoning as the Comprehensive Plan is being updated.

Commissioner Lindell stated that Commissioner Nuschke has left the meeting at 8:16 PM.

At this time Chairman Lindell stated that each Commissioner was assigned different code chapters to review to discuss possible updates within those chapters. He in encouraged each of them to continue to read through the chapters.

Mr. O'Neill asked if Chairman Lindell could send him that information.

Chairman Lindell asked Code Officer Scott Allen to see if he could distribute the information that the previous Administrative Assistant had for each Commissioner, as well as the chapters that were assigned to them and include Mr. O'Neill.

Code Office Allen stated that he would do so.

Chairman Lindell asked Mr. O'Neill what to prepare for the September Meeting.

Mr. O'Neill stated that he would like to discuss the demographic data and land use in more detail and prepare materials to submit to the Town prior to the meeting. He stated that he would like to plan for an open house night for the public or survey to get more feedback. He is going to outline more of the schedule in detail on the different topics.

Chairman Lindell asked how many of the other Commissioners would be available and to let him know their availability to meet if they needed to schedule more than just the once a month that is currently already scheduled. In addition, there will need to be a number of public hearings to schedule at Town Hall, the Fire House or within a certain district within Town to attract residents to attend the meetings.

Mayor Thompson stated that there was a rescheduled Firework event coming up that would be a great idea to attract residents and discuss feedback.

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.

Chairman Lindell asked Sean O'Neill if he would like the contact list of all the Commissioners.

Mr. O'Neill stated that it would be a good idea if he had those contacts.

Code Officer Allen stated that he would get that information to Mr. O'Neill.

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.

Commissioner Matthews asked if Mr. O'Neill could distribute a copy of the PowerPoint presentation to the Commissioners.

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

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

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

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