TOWN OF ELSMERE PLANNING COMMISSION MEETING MINUTES March 1, 2022 6:30 P.M.

CALL TO ORDER: Commissioner John Jaremchuk called the meeting to order at 6:30 PM.

PLEDGE OF ALLEGIANCE:

MOMENT OF SILENT PRAYER FOR THOSE WISHING TO DO SO:

ROLL CALL:

CHAIRMAN	VACANT	
COMMISSIONER	ROBERT ANDERSON	PRESENT
COMMISSIONER	JOSE MATTHEWS	ABSENT
COMMISSIONER	DEAN DYER	PRESENT
COMMISSIONER	JOHN POCKETS	PRESENT
COMMISSIONER	JOHN JAREMCHUK	PRESENT
COMMISSIONER	MARK DZIEGIELEWSKI	ABSENT

PUBLIC COMMENT:

None

APPROVAL OF MINUTES

Approval of the minutes from the July 6, 2021, Planning Commission Meeting.

ACTION: Commissioner Jaremchuk made a motion to approve the minutes from the July 6, 2021, Planning Commission Meeting. The motion was seconded by Commissioner Anderson.

VOTE:

4 in favor, 2 Absent

Motion carried

Anderson – Yes, Pockets – Yes, Dyer – Yes, Matthews – Absent, Jaremchuk – Yes, Dziegielewski – Absent

OPENING STATEMENT:

None

NEW BUSINESS:

A motion was made to elect a new Chairman for the Planning Commission.

ACTION: Commissioner Anderson made a motion to elect Commissioner Jaremchuk as the Planning Commission Chairman. The motion was seconded by Commissioner Pockets.

VOTE: 3 in favor, 2 Absent, 1 Abstained Motion carried

Anderson – Yes, Pockets – Yes, Dyer – Yes, Matthews – Absent, Jaremchuk – Abstained, Dziegielewski – Absent

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

Multiple conversations were had regarding the need to implement the approved 2021 Town of Elsmere Comprehensive Plan.

Chairman Jaremchuk stated that the homework assignment for the Commissioners is to review the Comprehensive Plan and sync it with the Town's Ordinances and see if there are changes that need to be made to have the Ordinance into compliance, focusing mainly on the Land Use Codes.

Commissioner Pockets suggested that the Commissioners should be in contact via email and telephone while doing the research instead of just discussing at the next meeting.

There was a brief discussion about the change, Ordinance 653, to remove Chapter 225-40 C in its entirety. The change was removing the Planning Commission from making a recommendation to all petitions before having to be seen before the Board of Adjustment. The comment was made that anything that needs to be seen by the Board of Adjustment should also be seen by the Planning Commission and Planning Commission should be involved. Chairman Jaremchuk said yes, the Planning Commission is still involved. Commissioner Pockets stated that no that is not happening and is why there has been no meetings for the last nine months or so. Chairman Jaremchuk asked Code Enforcement Officer Allen if this was correct. Code Officer Allen stated that yes, it is correct to an extent, that the only thing that needs to go before the Planning Commission is to make recommendations for NPDES related and Harmonious development intent approvals.

Code Enforcement Officer Allen stated that all the Petitions that have been filed in the last nine months have been Appeals that go directly to the Board of Adjustment.

Commissioner Pockets was questioning as to why he had to go before the Board of Adjustment first to be able to be seen by the Planning Commission and stated that John Giles made the decision for that.

Chairman Jaremchuk read a brief description of the duties of the Planning Commission per the Delaware Code, subsection 701.

Commissioner Pockets asked Code Officer Allen a question about NPDES and the credit that comes from the street sweeper and then asked when the last time is it has been used.

Code Enforcement Officer Allen stated that is not his department and that question would need to be asked of the Public Works department.

Commissioner Anderson made a comment that he realizes that the Public Works department is short staffed and has several new people.

Chairman Jaremchuk reviewed the Comprehensive Plan information that pertained to the Planning Commission.

Chairman Jaremchuk stated we can put on our next agenda, a discussion as to how to allow people to improve on Legal Non-conforming properties. Maybe on a case-by-case basis and maybe the Code should be updated.

Code Enforcement Officer Allen stated he would print a copy of everyone's email, Comprehensive plan, and copies of the Code and deliver them.

PUBLIC COMMENT

None

ADJOURNMENT:

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

VOTE:

4 in favor, 0 opposed with 2 absent

Motion carried

Anderson – Yes, Matthews – Absent, Dyer – Yes, Jaremchuk – Yes, Pockets - Yes, Dziegielewski - Absent

At this time, the meeting was adjourned.

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.

JOHN JAREMCHUK, CHAIRMAN

ROBERT ANDERSON, SECRETARY