

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES**

**September 6, 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	JOHN JAREMCHUK	PRESENT
COMMISSIONER	ROBERT ANDERSON	PRESENT
COMMISSIONER	DEAN DYER	PRESENT
COMMISSIONER	JOHN POCKETS	ABSENT
COMMISSIONER	MARK DZIEGIELEWSKI	ABSENT
COMMISSIONER	VACANT	
COMMISSIONER	VACANT	

PUBLIC COMMENT:

None

APPROVAL OF MINUTES

Approval of the minutes from the April 5, 2022, Planning Commission Meeting.

ACTION: Chairman Jaremchuk made a motion to approve the minutes from the April 5, 2022, Planning Commission Meeting. Commissioner Anderson seconded the motion.

VOTE: 3 in favor, 2 Vacant, 2 Absent Motion carried

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

OPENING STATEMENT:

Administrative Assistant Denise Lardani read the opening statement.

NEW BUSINESS:

Review Petition 22-07, Tax Parcel Number 1900-200-273

The applicant seeks to receive a variance to install a 63 sq. foot sign with a height of 23' proposed to the top.

Petitioner Lyndsey Milligan HES Sign Services, spoke on behalf of Unique Image. Lyndsey stated the relief sought is due to visibility issues with the sign and its location due to being under the route two bridge. Three of the walls on the building are not facing the roadway and the fourth wall has bays installed therefore the sign cannot be a wall sign. There are a couple of signs in the area that are bigger than the allotted size and were seeking the same approval and opportunity.

Petitioner Lyndsey stated the sign is being removed from their Lewes, DE location and reinstalled at the Elsmere location. Unique Image fell into financial hardships and had to close the location in Lewes. Instead of having a new sign built, they are seeking to move the sign from Lewes to Elsmere since it is already an existing sign and purchasing a new sign is not feasible.

HES tried to lower the sign to have it closer to the 20 ft height regulation but were concerned with the mounting of the sign and it being too close to the edge of the building.

Chairman Jaremchuk asked if the hardship, is due to the visibility of seeing the sign from the road.

Petitioner Lyndsey stated yes in fact that is correct for identification issues. Also, safety hazards on the highway if the sign were smaller.

Code Enforcement Officer Allen stated that the Town's position is that there is a hardship with visibility from the bridge, but it should be known that the property has a couple outstanding violations that would need to be brought into compliance before any issuance of any permits or anything of that nature. The paint pallet of the murals or paintings on the building do not comply with the Town's paint pallet. Also, there is two unregistered rental units within the building as well as the businesses are unlicensed. This would need two commercial rental licenses and two business licenses.

Commissioner Anderson asked about Council looking into the ordinance for the paint pallet at the property.

Code Enforcement Officer Allen stated that yes, Council did investigate it and the determination was made that what is currently the paint pallet will stay in effect and therefore all the murals and paintings are not compliant.

Commissioner Anderson stated for the record he knows Lyndsey well and that will not persuade his decision in any way as to the outcome of the meeting.

Chairman Jaremchuk stated he spoke to Commissioner Anderson and recommended him to state that he knows the Petitioner and make note of it at the meeting for the record.

Petitioner Lyndsey stated she just wanted to make it is known that the current sign on the building is bigger than the one they are proposing now, and it is not safe and falling apart.

Code Enforcement Officer Allen asked if the new sign is illuminated and if so, is it flashing.

Petitioner Lyndsey responded it is LED lights and no they do not flash.

Commissioner Anderson asked will additional support or structural support be needed for the building.

Petitioner Lyndsey stated no there is not additional support needed due to the mounting brackets that will be used.

ACTION: Chairman Jaremchuk made a motion to approve Petition 22-07 that it meets the harmonious development intent of Section 225-9. Commissioner Anderson seconded the motion with special conditions the owner comes into compliance with the Town.

VOTE: 3 in favor, 2 Absent, 2 Vacancies Motion carried

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

OLD BUSINESS:

None

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: Commissioner Anderson made a motion to adjourn the meeting.
Commissioner Dyer seconded the motion.

VOTE: 3 in favor, 2 absent, 2 Vacancies Motion carried

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