

**TOWN OF ELSMERE  
PLANNING COMMISSION  
MEETING MINUTES  
August 1, 2023  
6:30 P.M.**

**CALL TO ORDER:** Chairman 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	PRESENT
COMMISSIONER	VACANT	
COMMISSIONER	VACANT	
COMMISSIONER	VACANT	

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES**

Approval of the minutes from the June 6, 2023, Planning Commission Meeting.

**ACTION:** Chairman Jaremchuk made a motion to approve the minutes from the June 6, 2023, Planning Commission Meeting with no corrections. Commissioner Anderson seconded the motion.

**VOTE:** 4 in favor, 3 Vacancies, Motion carried

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

**OPENING STATEMENT:**

Administrative Assistant Denise Lardani read the opening statement.

**NEW BUSINESS:**

**1. Review Petition 23-10, Tax parcel number 1900-400-537**

The applicant seeks a request for a special exception use per Town of Elsmere Code Chapter

225-28B and a variance from Town of Elsmere Code Chapter 225-19 for the operation of a day camp/church center. The Planning Commission will review and make a recommendation to the Board of Adjustment.

Chairman Jaremchuk asked all involved to please rise and give testimony to the truth.

Code Enforcement Officer Scott Allen read the summary analysis.

Town Manager Steven Martin has reclused himself from giving any comments as he has a personal relationship with the applicant.

The applicant Regina LeCompte thanked the Commission for the opportunity to speak. She has some responses to the summary/site analysis. She stated that yes, she is providing “grief support” but it is not counseling as stated. She is currently operating at 602 Washington Street, in the Temple United Church since she had to start the operation based off the grant that was provided by the Delaware Department of Justice. The grant is to operate a community-based violence reduction intervention and prevention program. The concept is to help people who have been affected by gun violence.

The applicant stated that item #2 under the summary analysis also refers to a “Day Camp” is not a use of right, but she feels it is a “Youth Group” since it will be children ages 15-18 years old which are considered “youth”. It is not for minor children.

The applicant stated the “safe haven” is a proposal as of right now. The ‘safe haven” is recognized by the Department of Services for Children and Youth. It will be for children, youth and families that have been affected by violence. It will be provided 6-10 PM at least four hours a week. It is to provide a safe environment and positive activity. This will require background checks.

Chairman Jaremchuk asked if the background check will be for staff or the clients?

Mrs. LeCompte responded it is for the Staff because they must qualify to be able to implement the “safe haven” program. The program will need to follow OCCL rules and regulations. This is the Office of Child Care and Licensing.

Commissioner Pockets asked is the summer camp recreational and how much can you do in the building? What will it allow for? He feels it will be challenging in such a small space.

Mrs. LeCompte responded that we can plan movies in the room, dramatic play, game rooms. She has it all planned out. She is currently operating this same way at the Temple United Church.

Chairman Jaremchuk asked as to why the Fire Marshall approved 2 stories. Isn’t this building 3 stories?

Code Enforcement Officer Allen stated that in the eyes of the Fire Marshalls Office the

bottom floor is considered basement division, it is not a separate floor. It is considered a 2-story structure above grade.

Chairman Jaremchuk asked the whole building is approved, correct?

Code Enforcement Officer Allen responded yes that is correct it is approved for two stories above grade.

Commissioner Pockets asked if the Petitioner thought there would be any safety issues. Will the building be secure? Do you feel there will be retaliation? He is concerned about the Town.

Mrs. LeCompte stated actively there is grief support being held at the United Temple Church and has had no violence in the few months they have been providing the support.

Mrs. LeCompte responded that it is known the City of Wilmington has had a lot of gun violence that has affected, brothers, sisters, mom, dads, aunts, uncles and cousins and the grief support is to help whoever is seeking the support and giving them an outlet to grieve instead of retaliation or feeling lost.

Mrs. LeCompte has personal experience with the grief as she has stated she lost her oldest son to murder 7 months ago and had no where to go to in Delaware and is why she participates in this program. She tried to find help and support and was not successful. There was help in other states or lower Delaware, but she could not find it locally. She wants to make a change for the community.

Chairman Jaremchuk asked Mrs. LeCompte if she needed to take a break and asked her to sit down if needed.

Chairman Jaremchuk is questioning as to why the application is being defined as religious/church, He feels that the restriction or issues with the application to "Church" is more restrictive and feels this is unconstitutional.

Code Enforcement Officer Allen responded that in the Town's code the "Church" definition is more restrictive. He stated there were meetings with the building official that reviewed the application with Mrs. LeCompte, and Mr. Medori to get a better understanding of the usage of the building. He questioned as to the definition of Public School, Private School, or higher education institution. It was determined it was in the middle and as far as the Town Code. It was preceded to go with the more restrictive one that shall govern.

There was a confusion amongst the Commissioners and Chairman about the definitions of the types of uses that were determined in the site analysis.

Code Enforcement Officer Allen thinks that the definition of it being "church" is a stretch in his opinion, but he is not the Building Official who creates the analysis. There is not a perfect definition as to the uses in the Town Code which is why there was some clarification asked and defining of the groups.

Chairman Jaremchuk asked if anybody objected to the Petitioner staying seated in the crowd as to standing at the podium and there were no objections.

Chairman Jaremchuk had questions about the parking. He asked Mrs. LeCompte if she saw any parking issues in the future. Her response was no she does not.

Commissioner Anderson asked how many staff you will have in general daily.

Mrs. LeCompte responded that is a hard question to answer since it depends on what is being done that day. The staffing will vary based on how many children are there that day. The ratio is 1 staff member to 15 children, but she stated she will have 6 staff members.

Commissioner Anderson asked how the youth gets to the facility.

Mrs. LeCompte responded that the older teenage children will be able to take public transportation and the younger ones will be dropped off at the facility due to parking restrictions. They do have a 15-passenger van just in case some need transportation. Safety will be monitored in and out of the parking lot by staff as they currently are doing at the Temple United Church.

Commissioner Anderson asked Mrs. LeCompte to explain what her “empowerment session” is. Is it a church service? If this is grant based how long is the grant for?

Mrs. LeCompte stated it is not a church service, it is merely to provide a spiritual healing process for those who may not be able to communicate about it in the grief session. The Department of Justice does not allow for certain practices to be performed or prejudices of religion, so it considered “empowerment” and not church. She stated the grant is for 2 years.

Commissioner Pockets asked for clarity about the empowerment session that it is not like a church ceremony and providing religious beliefs.

Code Enforcement Officer Allen stated it is for them to seek spiritual healing as to what the individual beliefs are. There is encouragement to heal in whatever form they seem fit.

Mrs. LeCompte stated yes, it is non denomination based, any religion is allowed. It is about helping them to grieve and the phases of the grieving process. They will be able to talk about the spirituality of how they want to express themselves.

Commissioner Pockets stated that a child predator would love to be involved where children are vulnerable and will the adults that are going to be staff members or anyone helping with the safety coming in and out in the parking lot going to have background checks (vetted)?

Mrs. LeCompte stated she has been running her daycare for 20 years and she does not allow that. Her motto at the daycare is your child comes safe and will be safe. That is her belief.

Commissioner Dyer asked the Code Department is this being reviewed because of the site

analysis pushing towards this being labeled as “church” functions? The current zoning seems sufficient. It does not appear to be church related. He feels this should be approved.

Code Enforcement Officer Allen stated yes, some of the parts.

Chairman Jaremchuk stated if you have a school on the left hand and a church on the right hand, he feels it should lean more towards the school then the church.

Commissioner Dyer stated its counseling, day camp the current zoning should be sufficient. He appreciates what Mrs. LeCompte is trying to do for the community and hopes this goes well.

Code Enforcement Officer Allen stated the Town is indifferent and what Mrs. LeCompte is looking to do is a good thing. His only concern is the youths coming out of Corpus Christi gym and when Corpus Christi church lets out.

Chairman Jaremchuk stated he believes this meets the harmonious development of the Town of Elsmere. He had questions regarding parking, and they were answered sufficiently.

**ACTION:** Chairman Jaremchuk made a motion to recommend approval to the Board of Adjustment for the Special Exception Chapter 225-28B and the variance per Chapter 225-19. Commissioner Anderson seconded the motion.

**VOTE:** 4 in favor, 3 Vacancies Motion carried

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

#### **OLD BUSINESS:**

None

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

None

#### **ADJOURNMENT:**

**ACTION:** Commissioner Dyer made a motion to adjourn the meeting. Chairman Jaremchuk seconded the motion.

**VOTE:** 4 in favor, 3 Vacancies Motion carried

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

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.



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**JOHN JAREMCHUK, CHAIRMAN**



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**ROBERT ANDERSON, SECRETARY**