

**TOWN OF ELSMERE
BOARD OF ADJUSTMENT
MEETING MINUTES
March 26, 2024
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

CHAIRMAN	JAMES PERSONTI	PRESENT
BOARD MEMBER	JOHN ACTON	PRESENT
BOARD MEMBER	RON RUSSO	PRESENT
BOARD MEMBER	JOHN SMITH	PRESENT
VACANCY		
Code Enforcement Officer, Nicole Facciolo – Present		
Code Enforcement Officer, Vaughn Hill - Present		

PUBLIC COMMENT: None

APPROVAL OF MINUTES:

Minutes from the October 24, 2023, Board of Adjustment Meeting

ACTION: Board Member Russo made a motion to approve the minutes from the October 24, 2023, Board of Adjustment meeting with no corrections. Board Member Smith seconded the motion.

VOTE: 4 in favor 1 Vacant Motion carried

Russo – Yes, Acton – Yes, Smith – Yes, Personti – Yes

OLD BUSINESS: None

OPENING STATEMENT:

Administrative Assistant for the Code Department Denise Lardani read the opening statement.

NEW BUSINESS:

Review Petition 24-01 Tax Parcel # 19-00400-520

The applicant seeks to appeal citations V2300749, V2300799, V2400533 and V2400581 issued by the Code Enforcement Department. The Board of Adjustment will review and render a decision regarding this petition.

The Applicant, Timothy Graff was not present for the meeting nor was a representative on their behalf. The Board of Adjustment still chose to hear the appeal.

Code Enforcement Officer Nicole Facciolo stated there have been multiple violations at this property in the 12-month period beginning in June 2023. She noted that as of today's date March 26, 2024, the property was still in violation for the non-renewal of their Town of Elsmere's rental license that was due no later than October 31, 2023. Also, there was only one Citation that could have even appealed due to the 20-day appeal process. This is V2400581, dated 01/31/2024, (\$1,000 Public Nuisance fine).

Councilwoman Mary Steppi, 3rd District, spoke on behalf of her district that she has noticed a decline in the properties on Birch Avenue. She gave her opinion that Landlords have been using the same excuse about why they have not received their citations or fines.

Town Manager Steven Martin, agreed with Councilwoman Steppi and the Code Department statement's that the Town has met its intent with the evidence provided and testimony given.

ACTION: Board Member Smith made a motion to deny Petition 24-01. Board Member Acton seconded the motion.

VOTE: 4 in favor 1 Vacant Motion carried

Russo – Yes, Acton – Yes, Smith – Yes, Personti – Yes

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS: None

PUBLIC COMMENT: None

ADJOURNMENT:

ACTION: Board Member Russo made a motion to adjourn. Board Member Acton seconded the motion.

VOTE: 4 In favor, 1 Vacant Motion carried

Russo – Yes, Acton – Yes, Smith – Yes, Personti – Yes

These minutes summarize the agenda items and other issues discussed at the March 26, 2024, Board of Adjustment 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.



JAMES PERSONTI, CHAIRMAN



JOHN ACTON, ACTING
SECRETARY