

**TOWN OF ELSMERE  
PLANNING COMMISSION  
MEETING MINUTES  
April 7, 2026  
6:30 P.M.**

**CALL TO ORDER:** Chairman Anderson 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	ROBERT ANDERSON	PRESENT
COMMISSIONER	JOHN POCKETS	ABSENT
COMMISSIONER	JA'NIKKA CARABALLO	PRESENT
COMMISSIONER	FRANK OBARA	PRESENT
COMMISSIONER	JONATHAN WATTS	PRESENT
COMMISSIONER	MEGHAN WALLACE	ABSENT
COMMISSIONER	VACANT	

**PUBLIC COMMENT:** None

**APPROVAL OF MINUTES**

Approval of the minutes from March 19, 2026, Planning Commission Meeting.

**ACTION:** Commissioner Watts made a motion to approve the minutes from March 19, 2026, Planning Commission Meeting with no corrections. Commissioner Caraballo seconded the motion.

**VOTE:** 4 in favor, 2 Absent 1 Vacant Motion carried

Anderson – Yes, Pockets – Absent, Caraballo – Yes, Obara – Yes  
Watts – Yes, Wallace – Absent

**OPENING STATEMENT:** Denise Lardani read the opening statement.

**OLD BUSINESS:**

**1. 5-year Review of the Comprehensive Plan**

Allysha Lorber from Mead & Hunt presented the draft and is officially moving forward on the presentation and the Commission's vote, the draft has been finalized and recommended for review by the Mayor and Council.

Allysha highlighted several major shifts from the 2021 plan, many of which were prompted by community feedback:

**Land Use Changes on New Road:** Properties previously marked for "Mixed-Use" have been reverted to "Residential Only" to preserve the neighborhood's character.

**Protection of Green Space:** A controversial recommendation to potentially convert parkland into housing has been completely removed.

**Kirkwood Highway Improvements:** The plan now explicitly adopts the short, medium, and long-term goals from the 2021 Kirkwood Highway Plan, focusing on:

Median beautification, ADA ramp installations, and traffic safety and "Complete Streets" initiatives.

**Historic Preservation:** A new, robust section identifies Town Hall and other local landmarks for potential historic registration.

**Noise & Airport Coordination:** In response to resident concerns, a new section was added to address noise pollution and flight path modifications in coordination with Wilmington Airport.

**ACTION:** Commissioner Obara made a motion to recommend the review of the Comprehensive Plan to Mayor and Council. Commissioner Caraballo seconded the motion.

**VOTE:** 4 in favor, 2 Absent, 1 vacant Motion carried

Anderson – Yes, Pockets – Absent, Caraballo – Yes, Obara – Yes  
Watts – Yes, Wallace – Absent

## **NEW BUSINESS:**

### **1. Review of Petition 26-11 Tax Parcel Number 1900-200-096**

The applicant is requesting a special exception to operate a family daycare business in the R1 Residential zoning District at 125 N. Dupont Rd. The Planning Commission would need to determine whether the proposed meets the Harmonious Development Intent of the Town of Elsmere Code 225-9. The Planning Commission will review and make a recommendation to

the Board of Adjustment.

Code Enforcement Officer Facciolo read the statement of fact. The applicant is seeking to operate a family home daycare at the subject parcel of 125 North DuPont Road, located in the R1 residential zoning district. The Planning Commission shall determine if the proposed meets the harmonious development intent of the Town of Elsmere Code, Chapter 225-9. Any issues? Section 225-16C of the Town of Elsmere Code, which refers to Section 131-34G of the Code of the Town of Elsmere, requires a special exception use which attracts clients to a residence. In granting of the petition, the Planning Commission of the Town of Elsmere would need to determine that the proposed request meets the harmonious development intent of the Town of Elsmere Code, Chapter 225-9. The Board of Adjustment of the Town of Elsmere would need to grant a special exception under Section 225-16C-9 and allow a home daycare occupation which attracts clients to operate under Sections 225-16C-9 and 131-34G of the Code of the Town of Elsmere at the subject parcel. If approved, the applicant would need to obtain a business license from the Town of Elsmere Code Enforcement Department and provide approval from the State of Delaware.

The applicant Emily Burns, 125 N. Dupont Road stated she is requesting a special exception use that would allow a small-scale home-based childcare program designed to remain compatible with the residential character of the neighborhood. My intent is to create a safe, well-managed educational environment with clear limits on enrollment, defined hours, and thoughtful drop-off and pick-up procedures that keep activity contained to my property.

Chairman Anderson asked questions about her home and things that she is planning to change.

Ms. Burns stated she wanted to clarify. With this application, she had submitted it was a two-part with a special exception and then also with a variance, which I have not had a hearing for that yet, so I was not sure how much I should share about the plan.

Chairman Anderson stated we are trying to get a sense of whether it, fits in and how you are going to alter your property or what you are going to do to your property so we can get a sense of whether we think it fits in with our Harmonious Development.

Ms. Burns stated she is a Montessori certified teacher, and she has been in education for quite some time now. Her goal is to work with the Township and the State to build a small family childcare program in her home, which would have a max enrollment at one time of six children. The number of families coming through for any specific set session would be six families total. She plans to accommodate that with having a staggered drop-off and pick up time so that everyone can get through. She is confident that even with her current setup, especially with that staggered pick up and drop off, it would still be easy to make sure everybody can move through a safe and appropriate window

She is surrounded by woods on two sides, which is privately owned, and they do their best to take care of everything on their side of the fence and the stuff that tends to creep over the fence, including the animals and the bugs, and the plant life. So that would be the plan for

that area, which would add some extra space for greenery, and would be one less non-permeable space on the property. Where the shed is currently, which was built before they took residence, would be removed, and in its place was where an expansion would go, which would house these children, about six children or less at a time. The operation would be looking at three-hour windows of operation, so the morning would look like somewhere around 9 a.m. to 12 p.m. and the afternoon would be anywhere from 1 to 3 p.m., maybe 4 p.m. at the absolute latest. This would depend on the need of the community and the families who are interested in the program, and that part is being developed. There would be no longer than three-hour windows at one time.

Chairman Anderson referred to Exhibit 26-11K, which is the plot plan. There are no sketches or indications of the altering that is proposed.

Ms. Burns stated that she was under the impression that tonight was only for Special Exception use. Her contractor stated the sketch would be simple, he would remove the shed and slightly extend the new building where the porch is currently. The driveway is more the thing that I wanted to speak with the Town before we made those exact plans about what that driveway would look like and what would best suit the property as well as the traffic flow.

Chairman Andersson stated, one of the biggest things that we need to know is what it is going to look like, and you talk about a loop drive. Where would the entrance and exit be and how it is going to look?

Ms. Burns stated currently they have what would be called a double-wide driveway. It fits two cars, and can accommodate five cars, so, if you picture a rectangle, four cars fit inside of that, and then there is extra space, which is right in front of the gate, which their property has a fully fenced-in backyard, so there are technically five spaces, as the driveway is now. The plan is, based on the contractor's opinion, not to make a double-wide half circle. It would be the driveway as it is now would stay the same, and then where you can see the sidewalk, or that angled shape there on exhibit 26-11K, that is our little sidewalk that leads up to our house currently. That would go away, and in its place would be a one single-lane arch that would connect to the main driveway, so that there would be a clear entrance and a clear exit, where the entrance would be that side that has not been built yet, and then the exit would be that double-wide, so there's plenty of ability to see. The concept is not 100% set in stone. Everything is pending township approval and wanting to collaborate with the community and make sure that it is something that works well for that traffic flow, especially on North DuPont, as she understands it is a busy street.

Ms. Burns stated when I asked what was needed for tonight, I was not aware that a mock-up would be needed tonight, but I can absolutely submit that as soon as possible.

Chairman Anderson stated I read in here that you were going to tear off a porch and build an addition. Is that still part of the plan?

Ms. Burns stated yes that is correct. The idea would be that is where I would house the

childcare program, so it would be able to run separately from my own personal space. She is open to using the space she has currently, but the idea would be to be able to separate her business and from her home.

Chairman Anderson asked if this was the same footprint of the porch?

Ms. Burns responded it is the same width, but it would be a longer addition. She spoke to Kyle Bendler, the Building Official from BIU, and confirmed she was already over lot coverage and would need a variance to build.

There were multiple questions about the OCCL (Office of Child Care learning) and their requirements for bathrooms and such.

Ms. Burns stated it would be a fully outfitted expansion that would include a small kitchen, and a bathroom. It would function, whenever the next resident moves in, as a separate space that could be used as an in-law suite. It could easily convert into a separate type of space, not just outfitted as a classroom or an in-home childcare program.

There were multiple questions pertaining to the size and construction of the expansion, bathroom and kitchen requirements.

Ms. Burns responded with the shed coming down, it would open the entire backyard. And the expansion would go a little less than halfway into the yard if it would meet with the OCCL square footage. She has no interest in running a large family childcare program. This will only ever be a small family childcare program.

Commissioner Caraballo asked if this addition is historically different than other additions that have been approved by the Town.

Code Enforcement Officer Facciolo stated there have been other additions approved by the Town but not necessarily to this extent.

Town Manager Steven Martin stated I will be remiss if I did not tell the commissioners that this is more so about granting a special exception. Not the design, but also I have a question. It is my understanding that you are operating a tutoring session and you are operating without a license?

Ms. Burns stated that she was, yes, and stopped operation once the Town reached out for clarification. She previously offered tutoring services that were designed to complement homeschooling to a small group of children. It started as friends but because they wanted to support the help I was offering, they did offer tuition. This was under her existing LLC, and she does have a license with the State. She did not understand that Elsmere also requires a separate local business license and zoning review for the type of service that she was offering. Which is what she is applying for now.

There were more questions from the Commissioners about construction, traffic flow, and

times.

Ms. Burns stated the drop-off window, looking at closer to about 20 minutes or so. And with the number of children being six, it would be about two cars at a time, and they would be assigned a window. They would be able to come in, drop off. It is a quick drop-off. The fenced-in backyard has a privacy fence. The gate is quite tall, and it goes right in from the driveway into the backyard. That would be our entrance. The children would not be going through the house. They would straight into the space that is completely designed for the children. The cars would be parked in the driveway.

Ms. Burns stated her preference would be to offer a morning program and an afternoon program, but on alternate days. So, giving the families who need that afternoon support an option, as well as families who are interested in having a morning academic and social-emotional development environment for their children. The idea would be staggered. I would be completely open to what the Town is most comfortable with, with those offerings. With her teacher's heart, she would love to offer multiple services and have different types of programs running, but she recognizes the impact on an already busy road.

Ms. Burns has no interest in doing the after-school age, she has no plans to accommodate that many children. And like I said, I have no plan to expand either. This is only ever going to be family childcare program. She will not be hiring anybody. This will just be me with myself.

Chairman Anderson stated that they are there to determine if the request meets harmonious development but based off what he is determining there is not enough information to determine it. He then asked for Public Comment.

Gail Dunn at 117 North DuPont Road, is a concerned neighbor living in District 6. She was surprised that the Petitioner did not come around and check with the neighbors about her plans. She was hoping to share her opinion and the neighbor's opinion of a family daycare on North DuPont Road. We have not even discussed the changes in the property. She does not support the operation of family daycare on North DuPont Road. She read Code 225-9; it intends to assure the harmonious development of all areas of the Town of Elsmere. She does not believe a family daycare on North DuPont Road in Elsmere supports that Code specifically as it relates to traffic flow and traffic safety problems.

In conserving the general value of our properties, her opinion. She was interested in the opinion of her neighbors and her council person, Erik Ellison. She communicated by text, email, phone, and in-person to 12 residents that received notices of the planned daycare center. Eleven of these residents are not supportive. She has collected signatures and stated Jane McDaniel, Councilwoman 1<sup>st</sup> district has verbal replies from three additional non-supportive residents. These neighbors expressed the same as her views as well as a concern for additional businesses opening on North DuPont Road, if this petition is approved. She provided the signatures.

After hearing the applicants request, a recommendation was made to table the Petition for

further information about the construction, and the neighbors' concerns.

**ACTION:** Commissioner Watts made a motion to table the Petition for further information and review at a later date. Commissioner Caraballo seconded the motion.

**VOTE:** 4 in favor, 2 Absent, 1 vacant Motion carried

Anderson – Yes, Pockets – Absent, Caraballo – Yes, Obara – Yes  
Watts – Yes, Wallace – Absent

**ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:** None

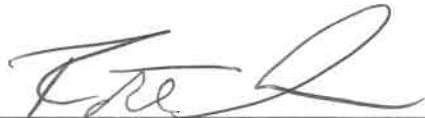
**ADJOURNMENT:**

**ACTION:** Commissioner Obara made a motion to adjourn the meeting. Commissioner Wallace seconded the motion.

**VOTE:** 4 in favor, 2 Absent 1 Vacant Motion carried

Anderson – Yes, Pockets – Absent, Caraballo – Yes, Obara – Yes,  
Watts – Yes, Wallace – Absent

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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**ROBERT ANDERSON,  
CHAIRMAN**



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**JA'NIKKA CARABALLO,  
SECRETARY**