

Town of Wyoming
Planning & Zoning Committee Minutes
August 19, 2015

Committee Members Present: Doug Denison, Kelly Alstott, Jonny Johnson

Absent: Chairperson Phyllis Brooks Collins, Tiffany Rife

Town Staff Present: None

Town Council Members Present: Paul Cable

Guests: Michael Wolfer, Richard Kepfer, John Willard, Michael Stockslager, Anita Brown and others

The meeting was called to order at 7:32 p.m. by Doug Denison, who chaired the meeting in Ms. Brooks Collins absence.

The agenda was adopted as posted with one addition under New Business, “Conditional use inquiry – Stockslager property – 115 Broad St.”

No action was taken regarding the minutes of May 12, 2015, as Mr. Alstott and Mr. Johnson were not present for that meeting.

New Business:

- **Conditional Use – home office – 618 Oats Lane**

The committee invited **Michael Wolfer** to briefly explain his application for conditional use at his residence in Wyoming Mills. Mr. Wolfer said he is a professional graphic designer and illustrator who conducts his business exclusively over the internet. Committee members questioned him about the nature of his business and whether it generates any additional traffic or activity in his neighborhood. Mr. Wolfer replied that it does not; he has no employees, receives no customers in-person and does not rely on frequent deliveries or visitors to the residence in the course of his work.

Members of the public expressed a desire to make comments related to Mr. Wolfer’s application and, without objection, the committee agreed to recognize them. **Richard Kepfer**, speaking on behalf of his brother, a Wyoming Mills resident, presented the committee with a “Declaration of Restrictions” listing deed covenants for the Wyoming Mills neighborhood. Mr. Kepfer called the committee’s attention to a clause in this document that he believes prevents a resident of Wyoming Mills from operating a business out of a home. Mr. Kepfer expressed his view that the town cannot grant a conditional use in conflict with such a deed restriction.

John Willard, president of the Wyoming Mills homeowners association, told the committee

that the HOA may be inclined to revise the deed restrictions as they relate to businesses.

Following some additional discussion, a motion was made by Mr. Johnson, seconded by Mr. Alstott, to table Mr. Wolfer's application until the next meeting. In the meantime, the committee will request guidance regarding deed restrictions and how they interact with the town's Land Use and Development Code. The motion was carried without objection.

- **Conditional use inquiry – Stockslager property – 115 Broad St.**

The committee called upon **Michael Stockslager** and **Anita Brown** to briefly discuss the content of a letter to the mayor, Council and this committee dated August 11, 2015, signed by Ms. Joyce D. Stockslager, which inquired about procedures to allow a business to occupy a residential property owned by the Stockslagers. Mr. Stockslager said his main concern was whether to apply for a conditional use or a rezoning of the property. The committee advised Mr. Stockslager that an application for conditional use appears best suited to this situation, and that he may submit such an application for consideration at the committee's next meeting.

The committee asked Ms. Brown to briefly discuss her business, Inspirit Studios. Ms. Brown said the business is headquartered elsewhere but would like to expand its services with a location at 115 Broad St. Ms. Brown said Inspirit Studios is a holistic health business offering massage and other therapies, including group sessions attended by one to two dozen patrons at a time.

Old Business:

Comprehensive Plan Update

The committee asked **Councilman Paul Cable** if Council has taken further action on the committee's recommendation that the services of the UD Institute for Public Administration be retained to assist with the five-year Comprehensive Plan update process. Mr. Cable advised the committee that Council has taken no action on this matter.

Adjournment:

The meeting was adjourned at 8:06 p.m.

The next meeting is scheduled for September 8, 2015, at 7:30 p.m.

Respectfully Submitted,
Doug Denison
Member, Wyoming Planning and Zoning Committee