

*Town of Cheswold*  
1856



*State of Delaware*  
1787

**BOARD of ADJUSTMENT**  
**MEETING MINUTES - May 11, 2016**  
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**Meeting Called to Order:** 10:05 am by Chairperson Fred Townsend, II Esquire

**Pledge of Allegiance and Moment of Silence:** led by Mayor Robert W. Sine

**Location:** Town Hall  
691 Main Street  
Cheswold, Delaware 19936

**BOA Members in Attendance:** Town Attorney Fred Townsend II  
Town Engineer Tom Wilkes  
Town Mayor Robert W. Sine

**Town Representative:** Theon E. Callender, Land Use Administrator - Town of Cheswold

**Applicant/s in Attendance:** Jose Santana, Cheswold Village Properties, LLC  
Mark Seagall, Cheswold Village Properties, LLC

**Application:** Sign Variance – to place a non-conforming size sign, (11’x8” wide and 28’ high with 2’ high inserts), on the southwest corner of Jerome Drive and Route 13N, Map ID 4-03-04700-01-0100-000 (*See sign size requirements – Land Use Ordinance, Section 13; Table 13-1*)

**Applicant Request:** Mr. Seagall informed the Board that the Land Use Ordinance maximum allowable sign size of 4’x8’, is insufficient to meet the needs of the Cheswold Village Properties, LLC and their anticipated clients. Their property is located on Route 13, where the average vehicle speed is +55mph and the maximum sign size will not permit sufficient time for the average driver to acknowledge, recognize and react to the client list displayed on the sign. Additionally a 4’x8’ sign does not provide enough space to advertise the businesses anticipated to be located on the property. Mr. Santana also explained that in order to develop the property, a commitment and approval of the larger sign is required by their clients prior to them signing lease agreements.

**Town Perspective:** It was acknowledged and agreed by Mrs. Callender that the current Sign Article in the Land Use Ordinance does not properly address signs for highway businesses. And that the Sign Article was designed to accommodate businesses on the Main Street environment. Additionally, the Planning Commission is in the process of revising the Sign Article within the Land Use Ordinance to realistically address highway conditions for signage. Therefore the Town does not have an opposition to the request of the applicant.

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**Board Discussion:** Mr. Wilkes questioned the uniformity of colors on the sign and the applicant agreed to uniformity except for clients with express colored logos necessary for recognition.

Mr. Wilkes was also concerned about the inserts exceeding the 2' height shown in the site plan. Both representatives agreed that the intent is to maintain the 2' high limit for the inserts, but it may be necessary to increase the height if requested by a client.

After some discussion it was agreed that all effort would be exerted to maintain the 2' limit, but if necessary, the client may insert a 4' placard, but Cheswold Village Properties would have to obtain additional Town approval to exceed the 4' height limit.

**Decision: VARIANCE GRANTED** – to place a 11'x 8" wide x 28' high pylon sign with 2' high x 10' wide inserts with interchangeable placards. The maximum insert size is 4' and requests to exceed the 4' must be submitted to the Town for additional approval.

The motion to approve as stated above was made by Mayor Robert W. Sine and a second was received by Town Engineer Tom Wilkes. A unanimous vote of the Board approved the application.

**Additional Information:** Chairperson Fred Townsend informed the client that sign construction must begin within one year of the grant of the variance. (*See Land Use Ordinance – Section 4-D-1 Administrative Procedures*)

**Adjournment:** The meeting was adjourned at 11:08 am