



Deposition of:
Historic Review Board 1.19.2021

January 20, 2021

In the Matter of:
**DE Audio - NCC Department of Land
Use**

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HISTORIC REVIEW BOARD PUBLIC HEARING
NEW CASTLE COUNTY
DEPARTMENT OF LAND USE
87 READS WAY, NEW CASTLE, DELAWARE
January 19, 2021
5:00 p.m.

TRANSCRIPT OF PROCEEDINGS
BEFORE CHAIRPERSON JOHN DAVIS

Transcribed by: Rebecca Murray

A P P E A R A N C E S

1
2
3 BOARD MEMBERS: JOHN DAVIS (CHAIR)

4 JOHN BROOK

5 PERRY PATEL

6 BARBARA SILBER

7 KAREN ANDERSON

8 STEVE JOHNS

9 RAFAEL ZAHRALDDIN

10
11 ALSO PRESENT: BETSY HATCH

12
13
14 FOR APPLICATION 2020-0783-H

15 MIKE HOFFMAN

16 CHRISTOPHER MILLER

17
18 FOR APPLICATION 2020-0784-H

19 MARK RUSSO

20 DENNIS SABLEY

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P R O C E E D I N G S

MR. DAVIS: This is the January 19, 2021 Historic Review Board -- New Castle County Historic Review Board public hearing. It is 5:03. We will start will roll call. Betsy, if you will.

MS. HATCH: Ms. Anderson.

MS. ANDERSON: Here. Present.

MS. HATCH: Mr. Johns.

MR. JOHNS: Present.

MS. HATCH: Mr. Zahralddin.

MR. ZAHRALDDIN: Here.

MS. HATCH: Mr. Brook.

MR. BROOK: Present.

MS. HATCH: Mr. Patel.

MR. PATEL: Here. Can you hear me okay?

MS. HATCH: Yep. Yep. Ms. Silber.

MS. SILBER: Present.

MS. HATCH: And Mr. Davis.

MR. DAVIS: Here.

MS. HATCH: All right. The vote shows seven present and no absent.

MR. DAVIS: Okay. On to rules of procedure.

1 MS. HATCH: Okay. This is a public
2 hearing conducted by the New Castle County Historic
3 Review Board. The purpose of these hearings is to
4 compile a record of relevant information regarding
5 each application and how the proposed projects affect
6 the county's historic resources.

7 To make the most efficient use of time
8 at this hearing, the following rules of order are
9 established.

10 Following the reading of each agenda
11 item, the applicant and their representatives will
12 make a presentation not to exceed a total of 15
13 minutes.

14 Board members may ask questions of the
15 applicant at the conclusion of the presentation. The
16 public will then be invited to speak in the following
17 order: one, those who wish to speak in favor. Two,
18 those who wish to speak in opposition. And, three,
19 those who wish to offer general comments.

20 Speakers are encouraged to be brief and
21 to focus their remarks on historic issues. So that
22 everyone has an opportunity to be heard, all speakers
23 are limited to five minutes.

24 Any speaker may ask the board to hold

1 the record open for the submittal of written testimony
2 if the time limit is not sufficient for their needs.
3 Speakers are not permitted to debate the applicant but
4 may ask questions that the applicant may choose to
5 answer during his rebuttal period at the close of the
6 public comment period.

7 All testimony is recorded and
8 transcribed. Therefore, all speakers must come
9 forward to the table one at a time and state their
10 name, address, and organization affiliation, if any,
11 before offering comments. Random comments from the
12 audience will not be recognized and the public is
13 asked to respect the applicant's right to an orderly
14 hearing.

15 No recommendations or decisions will be
16 made by the Historic Review Board at the hearing
17 today. The board will evaluate the information,
18 testimony, and comments received here at a public
19 business meeting to be held the first Tuesday of next
20 month.

21 MR. DAVIS: Thank you. We have no old
22 business, the best I can tell from our agenda. So on
23 to new business.

24 MS. HATCH: All right. Our first

1 application this evening is application 2020-0783-H,
2 3414 Kennett Pike, tax parcel 07-030.10-070, the
3 southern corner of Barley Mill Road and Kennett Pike
4 intersection. Christiana Hundred. Historic overlay
5 building permit for exterior improvements of the
6 Carriage House structure and the construction of a
7 greenhouse addition structure, lot 29 of Penn's Grant
8 at Crooked Billet. S Zoning. Council District 2.
9 And let me just promote the applicant, so give me one
10 moment. Okay. Oh, hold on one moment. Okay. Mike,
11 are you there?

12 MR. HOFFMAN: Good afternoon, Betsy.
13 This is Mike Hoffman with Tarabicos Grosso. This is
14 actually not my application. I think this is
15 Christopher Miller Architects are handling this,
16 although I am always happy to see the board. Good
17 afternoon, but this is not my application.

18 MS. HATCH: Okay. All right. Let me
19 change your role. All right. Molly, I did promote
20 you. Are you there?

21 UNKNOWN FEMALE: Yes, I am here.

22 MS. HATCH: Okay. I just promoted
23 Christopher Miller as well.

24 UNKNOWN FEMALE: Perfect. Christopher,

1 you are on mute if you are talking. Christopher,
2 would you like to say some things?

3 MR. MILLER: Yes, I would be happy to.
4 Is this the appropriate time to do that?

5 MR. DAVIS: Yes. Hi, Christopher.

6 MR. MILLER: Hi there. I'm Christopher
7 Miller with John Milner Architects and we are the
8 architect of record on this project. And actually we
9 were quite delighted because this project, you know,
10 in thinking about the use for this building, our
11 client is very interested in using this building for
12 what I would call some traditional functions related
13 to caring for surrounding plants and land and gardens.
14 So the use I think is very fitting for this structure.

15 We provided some information on the
16 history of the structure, but I will add that the date
17 stone, it's kind of on the north face which will be to
18 the right gable end. The date set in stone says that
19 the building dates to 1807 and it was built by the
20 Brinley's. And if you know, it's Brinley Lane out
21 there that goes through Crooked Billet and Elizabeth
22 and James Brinley would have likely been the owners
23 that built this carriage house.

24 Most of the work that we are

1 anticipating doing is very much in keeping with the
2 historic character of this building. We are replacing
3 windows, we're replacing doors, some carriage doors.
4 None of the elements that we're replacing are
5 historic. They're modern, they're recent
6 replacements, so we're trying very much to use
7 traditional detailing and trying to match site lines
8 and things like that in our work for windows, carriage
9 doors, pedestrian doors, those sorts of things.

10 And we're using the architect series
11 traditional double home windows which I have used for
12 probably 25 years in similar types of instances.

13 I'll make a few comments. We're adding
14 a greenhouse structure to the back of the building.
15 There is an existing carriage door masonry opening in
16 that location, so we will not be impacting the
17 historic fabric. And all work is reversible so that
18 the greenhouse could be removed in the future without
19 impacting the historic fabric.

20 The traditional style greenhouse has a
21 stone base to match the stone of the carriage house.
22 The greenhouse is being installed in the back of the
23 building which we think is great because it's not
24 visible from the driveway, it's hidden. And the main

1 floor of the carriage house and greenhouse, as I said
2 earlier, will serve very traditional agricultural kind
3 of functions.

4 On the front we are building some
5 custom built wood garage doors with fan lights above
6 to replace the garage in this image that you see in
7 front of you are those doors that are going to be new
8 custom built doors.

9 We believe the original early 19th
10 Century garage doors were wood paneled doors and we
11 have matched what we believe would have been installed
12 at the time, but we have provided glass lights above,
13 below -- just below the fan light which may have been
14 solid wood panels, but trying to bring some light into
15 the first floor of this building is actually very
16 important, so taking those topmost panels and making
17 them glass I think will contribute.

18 It won't take away from the
19 architecture but will contribute quite a bit of light
20 to the interior of the building which is important to
21 our client. So that, I think that's really the
22 comments that I would probably make. You've seen our
23 application and we would certainly be happy to answer
24 any questions that you might have. Thank you.

1 MR. DAVIS: Thank you. Do we have
2 questions for the applicant? Ms. Anderson.

3 MS. ANDERSON: Can you hear me? Oh,
4 okay, great.

5 MR. DAVIS: Yes.

6 MS. ANDERSON: Just one question.
7 Well, first a comment. I thought that this was really
8 very well done. So I just appreciate the effort that
9 was put into this. But just a general comment. I
10 think it was -- let me see, I have to find the
11 elevation here. On the southeast elevation, up in
12 like the gable area, there is a vent that's there that
13 in the rendering the vent is gone. Just wondering, I
14 mean, it's not a big deal, but did it go away?

15 MR. MILLER: It did not. If -- I think
16 I know what you're referring to and, no, it will be
17 maintained.

18 MS. ANDERSON: Okay.

19 MR. MILLER: And we don't have any
20 plans to do anything to that vent. But that's very --
21 that's a great observation.

22 MS. ANDERSON: I'm sorry, it's the
23 southeast elevation.

24 MR. MILLER: Yes, right, right, it's

1 opposite this vent probably, right?

2 MS. ANDERSON: Yes, yes, so I saw that
3 the vent was there on that one and then on the
4 opposite side --

5 MR. MILLER: That is our omission and
6 that will be preserved.

7 MS. ANDERSON: That's all. That's the
8 only comment I have.

9 MR. MILLER: Thank you.

10 MS. ANDERSON: And, again, like I said,
11 thank you very much. I think it's a very sensitive
12 addition and the windows and everything I think are
13 very well done. Thank you very much.

14 MR. MILLER: Thank you.

15 MR. DAVIS: Christopher, I have just a
16 couple of questions. So in the photos that we have,
17 there is an exterior stair. That goes away it looks
18 like?

19 MR. MILLER: That is correct.

20 MR. DAVIS: Okay. And then in the
21 drawings there is an interior stair. Is that stair
22 there now or is that a new stair?

23 MR. MILLER: No, that stair does not
24 exist now, which is the reason that we can remove this

1 stair is we would be adding a stair to the interior to
2 -- what was interesting is I don't think originally,
3 like, if we look at this plan here, I don't think it
4 would have been original from 1807, but that door at
5 the bottom left on this south elevation there, that
6 door was added sometime. We don't know when, but at
7 some point that door was added and it actually is kind
8 of a perfect location to have a little almost entry
9 vestibule if you will and then to go straight up a new
10 set of stairs.

11 So that's kind of what we're doing is
12 we're removing the exterior stair and then putting an
13 interior stair into the building.

14 MR. DAVIS: Great. Thank you.

15 MR. MILLER: Uh-huh. You bet.

16 MR. DAVIS: Any more questions for the
17 applicant?

18 MS. HATCH: I am not seeing any other
19 hands raised.

20 MR. DAVIS: Okay. Great. Thank you.
21 We'll move on to public comment. Is there anyone that
22 wishes to speak in favor of this application?

23 MS. HATCH: There are no hands raised.

24 MR. DAVIS: Is there any member of the

1 building that wishes to speak in opposition?

2 MS. HATCH: There are no hands raised.

3 MR. DAVIS: Any general comments?

4 MS. HATCH: There are no hands raised.

5 MR. DAVIS: Okay. Great. Thank you.

6 MS. HATCH: Okay.

7 MR. DAVIS: All right. On to the next
8 application.

9 MS. HATCH: All right. So next we have
10 application 2020-0784-H 605 Greenbank Road, tax parcel
11 08-039.10-157 located on the west side of Greenbank
12 Road, 385 feet south of the intersection with Newport
13 Gap Pike. Mill Creek Hundred. This is a minor land
14 development plan to subdivide 1.71 acres into four
15 lots containing historic structures dated circa 1910.
16 NC6.5 zoning. Council District nine. And I will be
17 promoting the applicants here.

18 And I just did want to give the board
19 some background from the department. We did --

20 MR. DAVIS: Yeah, Mr. Johns has his
21 hand raised. I'm sorry to interrupt, Betsy.

22 MR. JOHNS: That's okay, I just wanted
23 to get in -- unfortunately, I will need to recuse
24 myself from this application because it is one of my

1 projects.

2 MR. DAVIS: Okay. Thank you.

3 MS. HATCH: So just shared on the
4 screen here, the department did do a site visit on
5 December 2, 2020, and we did take a look at the
6 exterior of the structure. So shared on the slide
7 here are pictures of the property with some
8 architectural details of the house. Based on the
9 county assessment records, the house date was
10 constructed in 1910.

11 However, deed research said that --
12 states that -- or it could be constructed as early as
13 1880, but further information would have to be
14 gathered and particularly inspections of the interior
15 of the house.

16 But, you know, this was forwarded to
17 the Historic Review Board under 4015010B and prior to
18 the meeting, so the initial land development plan that
19 was submitted to the department was a five acre lot
20 and after speaking with the department, the
21 application was revised to be four lots with the house
22 and the historic barn being maintained on one
23 property, so I did just want to state that the history
24 of the land development plan.

1 So based on just some preliminary
2 background research that we found, the house was -- or
3 the property was in ownership of the Lloyd family in
4 the 1880s and there were some news articles that did
5 reflect that and then as well as its passing to Daniel
6 Hastings, a young attorney general and some other
7 information that was provided to the board in the
8 background report. So I just wanted to give that the
9 background reports are available online as well. So
10 I'm just going to promote the applicants here. Dennis
11 and Mark are on the line.

12 MR. DAVIS: Great. Welcome. Can they
13 hear us?

14 MS. HATCH: I think -- Dennis and Mark,
15 both of you are on mute.

16 MR. RUSSO: Can you hear me now? It's
17 Mark.

18 MS. HATCH: Yes.

19 MR. DAVIS: Yes, we can hear you.

20 MR. SABLEY: All right. I'll go ahead
21 and start, Mark. So my name is Dennis Sabley (ph).
22 I've been a local developer for a little over 25 to 30
23 years and this is a little project that I picked up a
24 couple of years ago. I have a pretty long history of

1 historic preservation/conversion to office dates back
2 -- or I have a couple of projects that you guys may or
3 may not be aware of.

4 But one was the Holiday Herrington
5 House in Greenville where we did an adaptive reuse
6 historic overlay. I also did a really cool barn on
7 North Star Road that we ended up saving that was
8 pretty cool. We found a buyer for that. The Garrett
9 House down in York Glenn, I don't know if you guys are
10 familiar with that project. But it was an old
11 Montessori school that we converted over to an office
12 use.

13 So -- and I personally live in a house
14 that dates back to the 1700s. So I'm very familiar
15 with old properties and preservation. And as you guys
16 know, we're losing our historic structures and it
17 really takes sort of a unique developer or somebody
18 that wants to preserve properties to even get involved
19 in a lot of these projects.

20 So I took over a year to kind of think
21 about the project, how I wanted to develop it, you
22 know, what were my financial investments that would go
23 into this to sort of preserve the property and what
24 was the highest and best use in order to be able to

1 save the house and save the old barn structure that's
2 there. Because I, again, I am into preservation and
3 would like to see some of these things saved.

4 So, you know, in a conversation that we
5 had with Becky and Chris from the county, we did have
6 a four lot subdivision or four single family lots that
7 were going to be developed there and although
8 financially that would be a better plan for us, we
9 also realize that it doesn't really keep the barn and
10 house together, so we chose to at the last second
11 eliminate one which I think makes this plan really
12 superior for the area.

13 We were sensitive to environmental
14 impact. Infrastructure, you know, is minimal as far
15 as offsite infrastructure that we have to bring in.
16 We're sort of following the existing driveway that we
17 already have there to create two lots around back and
18 then sort of extending off of the existing driveway,
19 you know, one other house towards the front.

20 I believe -- and Mark can jump in, but
21 I believe the zoning is NC65, 6.5, so we're well
22 within legally what we can build there, you know, as
23 far as lot sizes and really a little bit bigger than
24 some of the lots in the area.

1 I'm not looking to build mc mansions.
2 I'm looking for, you know, houses that are sort of a
3 low impact and, you know, possibly even doing
4 crawlspaces or slabs there to really, you know, kind
5 of keep costs down.

6 The money that, you know, and I know
7 it's not financial, but the money that will come out
8 of the building lots that are there, we plan on
9 reinvesting back into the house and existing barn
10 that's there.

11 It really is -- it's a really great
12 plan. It's a low impact, it's, you know, preserves
13 the farmhouse and barn, like I said, on one lot. The
14 interior of the house is probably a 1980s rehab that
15 was not well done. The exterior of the home is a
16 cedar sided shingles which were -- there's probably
17 four or five houses along that road that had the cedar
18 shingles. Two of them have, I believe, already been
19 converted over to -- or the neighbor to the left I
20 think wrapped his in a vinyl siding and a neighbor
21 down the road I think did like a hearty plank or
22 something like that.

23 I don't know what I'm going to be able
24 to do with that exterior just yet. If there is any

1 way to try to preserve it, doing the cedar shakes or
2 some product that is sort of similar to that, I
3 probably will, but it's not the primary focus right
4 now. The primary focus is subdivide the property, be
5 able to sell the lots off, and then have the cashflow
6 and the income in order to, you know, preserve the
7 house and barn.

8 I'm excited about the project. You
9 know, I have a long history of saving projects and,
10 you know, doing some really good things for the
11 community and, you know, I hope I can get the support
12 of the board and this can move forward. So I don't
13 know if Mark has anything to say on the engineering
14 and we'll let him talk about the technical stuff.

15 MR. RUSSO: Thanks, Dennis.

16 MR. SABLEY: Sure.

17 MR. RUSSO: Good evening. My name is
18 Mark Russo and I'm with the civil engineering team
19 from VanDemark and Lynch serving as the project
20 manager and landscape architect. So our current goal
21 while preparing this minor subdivision plan was to
22 first preserve the historic dwelling and the barn on
23 one large single lot and integrating three smaller
24 additional residential lots within the existing

1 parcel.

2 Dennis talked about the size. So the
3 remaining large lot actually is over half the size of
4 the remaining building lot once we take out for
5 dedicated right of way. It's a little over three
6 quarters of an acre and the other lots are still -- I
7 think the two rear lots are 30 percent over the
8 minimum lot size but there is still in relation to lot
9 sizes within the surrounding community.

10 So we know care is going to be taken to
11 retain and not diminish the existing character of the
12 community and then ultimately making this a viable
13 project for the owner.

14 Our site development consists of
15 providing a combined residential access per DelDOT's
16 recommendation at the existing driveway location which
17 is good because it gives, like, currently that
18 existing driveway is shared with the adjacent owner to
19 the south. Now they'll actually have their own
20 driveway because it'll be cut off where it combines.
21 So they will have their own driveway, they don't have
22 to share with our plan anymore.

23 We also wanted to minimize disturbance
24 along the driveway and grading around the proposed

1 dwellings. We want to try and preserve existing views
2 of the existing house and we would like to take
3 advantage of the natural topography whenever possible.

4 So no other landscaping is required by
5 the UDC with this plan other than street trees, but
6 the owner was willing to provide some supplemental
7 landscape planning's and also continue the solid
8 fencing along the northern property line just to
9 create some additional buffering for the adjacent
10 property owners.

11 We will also be seeking variances from
12 the Board of Adjustment to permit the two building
13 lots in the rear as they would have zero street yard
14 frontage. We would also need variances to preserve
15 the existing barn. One, because it is almost directly
16 on the -- that side property line and then another for
17 its height.

18 I believe the minimum height for an
19 accessory structure is 20 feet and I think the barn to
20 the peak of the roof is somewhere between around 27,
21 28 feet in height. So we would need a variance and
22 the last variance is to allow the barn's conversion
23 into an accessory dwelling unit.

24 So, Betsy, when she introduced the plan

1 she talked a lot -- a little bit about the evolution
2 as we started this plan as a total of five residential
3 lots and then after we received our initial
4 exploratory comments we had a meeting with Betsy and
5 then the planner, Chris Jackson from the county, and
6 you know, we were talking about the comments and
7 during the meeting Dennis, you know, offered to
8 eliminate one of the building lots and combine the
9 existing house and barn on a large single lot. Which,
10 I agree with him, I think that really helps with the
11 plan and makes it a much better plan.

12 Then we made those changes, we
13 addressed the land uses comments, and we had recently
14 received conditional approval from the Department of
15 Land Use to proceed with the development process with
16 this plan. So I guess in closing, we would like to
17 respectfully request the board's recommendation to
18 land use and to the Board of Adjustment of this plan
19 presented before you this evening. Thank you.

20 MR. DAVIS: Great. Thank you.
21 Questions for the applicant. Mr. Brook.

22 MR. BROOK: Thank you, Mr. Chairman.
23 Most of the time when we have houses that, historic
24 houses that come before us to look like this,

1 generally it's with a request that it be allowed to be
2 demolished and part of the reason given is that it
3 would cost exceedingly more to bring it up to date and
4 make it habitable than it would justify. So I'm
5 wondering what research you've done and what plans you
6 have to restore the historic property so that it can
7 be lived in and be used in every modern sense?

8 MR. SABLEY: Well, we currently have
9 family members in there now. So we're renovating the
10 kitchen to give them a livable kitchen. I don't want
11 to say that it wasn't livable. It was a livable
12 house; it was livable right up until the time that I
13 bought it. It was just extremely dated and it's in
14 need of cash to do a lot of things there.

15 And, for example, all the windows are
16 junk replacement windows that there's gaps of air, you
17 know, flowing in through it. The heating system is
18 probably on its last leg, so I'm putting as much money
19 as I can into it to continue to keep it livable and,
20 you know, my goal is really to keep the property and
21 pass it down to family after we get it pretty well
22 fixed up.

23 MR. BROOK: So I kind of surmised from
24 what you had said earlier that the profit that you

1 intend to get from the sale of additional lots will
2 allow you to maintain the historic nature of the
3 properties.

4 MR. SABLEY: Correct.

5 MR. BROOK: And I'm wondering what kind
6 of -- what sort of guarantee the Historic Review Board
7 might have that you'll actually do that?

8 MR. SABLEY: I mean, my word, number
9 one. And I know that's never good enough but I can
10 tell you that I really have a long track record and
11 history of historic properties throughout New Castle
12 County and I'm passionate about it and I've spent a
13 lot of money preserving a lot of things.

14 So I'm not, you know, a lot of
15 developers and a lot of neighbors have suggested that
16 I just tear the house down and had I wanted to tear
17 the house down and develop a five lot subdivision I
18 would have done that.

19 I would have come in and applied for a
20 demolition permit right away, waited the ten months if
21 that's what I had to do and demolish it and that's not
22 my goal. I've been sitting on this for two years. So
23 my goal --

24 MR. BROOK: I appreciate your answer.

1 MR. SABLEY: Yeah.

2 MR. BROOK: The variances that you
3 seek, do they meet current county -- they must not
4 meet current county code since you're looking for a
5 variance. And the one that I wonder about the most is
6 the barn. Are you still intending to use that for
7 residents or did that slip by the wayside?

8 MR. SABLEY: Well, we intend to have it
9 as sort of an accessory dwelling, possibly an
10 apartment or something like that on the second floor.
11 It needs work. It needs a lot of work.

12 MR. BROOK: And that building is right
13 on the property line it looks like.

14 MR. SABLEY: It is, yep.

15 MR. BROOK: When I built my house, I
16 had to build 30 feet away from the property line. I
17 don't know what the regulation is in that part of the
18 county.

19 MR. SABLEY: Right.

20 MR. BROOK: Could you tell me what it
21 is?

22 MR. SABLEY: Well, it's not zero
23 outline which pretty much --

24 MR. BROOK: No, I know it's not zero.

1 MS. ANDERSON: I think it's six feet.

2 MR. SABLEY: Six feet?

3 MR. BROOK: That's it?

4 MS. ANDERSON: Six feet.

5 MR. SABLEY: Yeah.

6 MR. BROOK: Wow.

7 MS. ANDERSON: Yeah.

8 MR. BROOK: Okay.

9 MR. SABLEY: And --

10 MR. BROOK: All right. Thank you.

11 MR. SABLEY: My neighbor's is also
12 right on the property line and he has an old barn as
13 well that has been renovated, so --

14 MR. BROOK: All right. Thank you very
15 much.

16 MR. DAVIS: Thank you. Ms. Anderson,
17 then Ms. Silber.

18 MS. ANDERSON: Yes. In reading the
19 brief, I did not understand -- what I read was a
20 request to permit lots two and three to have a zero
21 foot minimum lot width. However, what I heard you say
22 was there was a -- actually, I'm not sure what you're
23 asking for for lots two and three.

24 MR. RUSSO: It's lot frontage, not

1 width, a zero lot frontage. It has no frontage to a
2 public street.

3 MS. ANDERSON: So the brief is
4 incorrect when it's saying you're asking for a zero
5 lot width? Because that was a concern that I had.
6 There's no real precedent for zero lot width.

7 MR. RUSSO: I think that was probably
8 just a typo.

9 MS. ANDERSON: Okay. All right. And
10 the other question I had was for the accessory use
11 structure. Allowing you to be on the -- have zero
12 offset would impact the adjacent property. Has there
13 been any -- in terms of the -- what they may or may
14 not be able to build, the distance to the lot line?
15 It would affect that. Just, has there been any
16 discussion with that adjacent property owner just to
17 touch base?

18 MR. SABLEY: It's actually a friend of
19 mine owns the property behind it and he is currently
20 developing it into single family houses.

21 MR. RUSSO: So, Ms. Anderson, there
22 would be -- on that property, that rear yard would be
23 a minimum of 25 feet and I think that that lot is
24 still undeveloped or is not built on yet.

1 MS. ANDERSON: Yeah. Yes, yes, I just
2 wanted to know if you guys had talked to them because
3 it is undeveloped and it would just be neighborly to
4 let them know what the intent is as you guys move
5 forward. And then I think that was all I had. Thank
6 you.

7 MR. RUSSO: Thank you.

8 MR. DAVIS: Ms. Silber. You're on
9 mute.

10 MS. SILBER: Sorry. Am I off mute now?
11 Yes.

12 MR. DAVIS: There you go. Good.

13 MS. SILBER: All right. I know today's
14 topic of discussion is the variances, but in order to
15 get a clear understanding sort of the context of the
16 future of this property and this subdivision, and I
17 know Mr. Brooks eluded to this as well, I know that
18 you have provided some, you know, examples of proposed
19 use of what will happen.

20 There are a couple of things I want to
21 ask. In regard to the -- what will the structures
22 that -- the proposed dwellings look like? And I know
23 you provided some examples, but have you taken into
24 consideration, you know, perhaps selecting a style

1 that is compatible to the sort of the historic
2 context?

3 As someone that, I know that you've --
4 you had mentioned that you worked on some very
5 interesting historic properties, and as you know, this
6 part of the county, this Greenbank Road area, it's
7 kind of a unique, interesting historic kind of -- has
8 a historic interesting visual character.

9 So would there be any ideas of -- what
10 are your thoughts on how you would be addressing the
11 new construction that would go on as well as, you
12 know, sort of maintaining the historic character of
13 this overall streetscape of Greenbank with the
14 introduction of these new proposed dwellings?

15 MR. SABLEY: Well, I did pick -- I
16 think it was a farmhouse style that we kind of like,
17 especially from the back two lots. The front one, we
18 may change that in the process, but right now we're
19 just sort of leaving something that sort of blends
20 with the area that would sort of be a low impact.
21 They're not huge houses. I think they're only three
22 bedroom, small footprints.

23 MS. SILBER: Because, you know, you'll
24 have this bigger house and then you'll have these

1 small ones. My main concern in many ways is the -- if
2 you could go back to the plan, Betsy? It's the
3 proposed line -- I can't see on it. It's the one that
4 is -- abuts Greenbank Road. The -- I'm assuming the
5 entrance will be 90 degrees off of Greenbank Road? It
6 will not be fronting Greenbank Road, correct, the way
7 the drive is?

8 MR. SABLEY: The house or the --

9 MS. SILBER: Uh-huh, the house.

10 MR. SABLEY: No, the house will
11 probably face Greenbank.

12 UNKNOWN MALE: It's a side load garage.

13 MS. SILBER: Okay. It's a side load
14 garage. Okay. Yeah, I just want to, you know,
15 because that's part of the streetscape of these
16 houses. So if you have one that is the sort of
17 rotated in the opposite direction it kind of loses it.

18 The next, especially since this -- the
19 original probably, you know, was designed to have this
20 kind of long lawn that's set back. The other thing
21 is, have you -- you mentioned that you have -- during
22 your previous work and this property here take into
23 consideration the environmental concerns, has -- and I
24 know we have done some background research (inaudible)

1 as well.

2 Has anybody taken into consideration
3 the possibility of the archeological potential of this
4 piece of property? This is a pretty big piece of land
5 that has had relatively, like, low impact, very
6 minimal subservice disturbances for quite a while.

7 MR. SABLEY: We have not. It's always
8 pretty much been farmland and I think if you read back
9 through some of the history, especially from Becky, it
10 was a much larger parcel of land that got carved up.
11 And what was left here is just the house, the barn,
12 and really behind -- back behind the barn was just a
13 giant farm, kind of garden stuff.

14 MS. SILBER: I think also maybe you may
15 want to take into consideration the potential for
16 precontact, you know, before the historic occupation
17 of Native American -- precontact Native American
18 artifacts, mainly because the property has been farmed
19 for so long, so there hasn't been a lot of subservices
20 disturbance other than, you know, historic plowing.

21 You know, that may be something -- has
22 the owner walked around -- have they noticed any
23 unusual, you know, features within the backyard or the
24 side yard area? I think those are the things that,

1 you know, I would be looking to just take into
2 consideration. I'm not necessarily saying there is
3 anything there, but that may be something to just, you
4 know, sort of address up front whether or not there is
5 a potential or why there is or is not a possibility
6 that there could be resources of some sort.

7 MR. SABLEY: Okay.

8 MS. SILBER: Mostly before, you know,
9 because the goal is to subdivide and then put new
10 construction on.

11 MR. SABLEY: Yeah. And, again, this is
12 really a low impact --

13 MS. SILBER: Exactly.

14 MR. SABLEY: -- project. So, I mean,
15 I'm -- I took a lot of care in trying to find
16 something that fit that really didn't affect the
17 project or the grounds, disturb a lot of soil, you
18 know --

19 MS. SILBER: Exactly.

20 MR. SABLEY: I could have put a main
21 road in the back with a big cul-de-sac and, you know,
22 that's not really what I'm looking to do. I'm looking
23 to kind of preserve ground and --

24 MS. SILBER: And keep that kind of

1 rural, that semi-rural, you know, crossroad character
2 I think is what you're looking here. So --

3 MR. SABLEY: Correct. Yep.

4 MS. SILBER: Yes. Yep.

5 MR. SABLEY: Okay. Thank you.

6 MS. SILBER: Uh-huh.

7 MR. DAVIS: Any more questions for the
8 applicant?

9 MS. HATCH: I'm not seeing any hands
10 raised.

11 MR. DAVIS: Okay. We'll move on to
12 public comment. We'll ask for comments for those in
13 favor.

14 MS. HATCH: All right. We have one
15 hand raised. Here. Steven and Joan Chinnery. I just
16 promoted you to a panelist if you'd like to speak.

17 MR. CHINNERY: Yes. My name is Steven
18 Chinnery. I am the owner of the property at 607
19 Greenbank Road. And I have a couple of questions and
20 comments. One was concerning what Mark Russo said
21 that the properties in the local area all have small
22 lots and I take umbrage to that given that my lot is
23 over an acre.

24 My neighbors to the south is over an

1 acre, and the one to the north is about three quarters
2 of an acre, so I don't see any lots in this area which
3 are all tiny little things like Dennis is proposing to
4 use for his new homes. So that's a general comment to
5 Mr. Russo.

6 Secondly, I was surprised to hear that
7 the barn which has historically been used as a
8 schoolhouse and other type things is now going to be
9 converted into an accessory dwelling unit. I'm
10 concerned that that's going to require more traffic
11 coming up and down the driveway and also concerned
12 there is no fire hydrant in the area, so if in the
13 case of any sort of fire mitigation or any rescue
14 efforts, is there enough access in those terms to
15 those rear properties?

16 So I'd like a little more clarification
17 on what is meant by "accessory dwelling unit" and then
18 also I appreciate Ms. Anderson's comments about the
19 architectural style and Mr. Brooks comments about
20 whether the old house was going to be preserved. The
21 homes are all in this area were cedar sided and my
22 house, 607, was -- did have vinyl siding applied back
23 in the 1950s.

24 But the cedar siding is still

1 underneath it, so just a question to Dennis as well or
2 Mr. Russo concerning whether they are going to try and
3 preserve the cedar shake look or whether they're going
4 to convert the existing structure to match the new
5 homes so that we have an appealing subdivision next
6 door to us. That's basically my comments.

7 MR. DAVIS: Thank you. Thank you for
8 your comments. Mr. Russo, would you like an
9 opportunity to talk a little bit about the, you know,
10 the design and the layout of the lots a little more?
11 I don't hear him.

12 MS. HATCH: I believe he's muted.

13 MR. DAVIS: Oh, okay.

14 MR. RUSSO: Can you hear me now?

15 MR. DAVIS: Yes, we can hear you now.

16 MR. RUSSO: So I'll address the issue
17 with the driveway first.

18 MR. DAVIS: Yes.

19 MR. RUSSO: You know, we met with
20 DelDOT and DelDOT recommended us doing the common
21 driveway and we actually -- we designed it per their
22 detail and spec in their manual. So -- and, actually,
23 I think it would be great that now the adjacent owner,
24 they have their own driveway, they don't have to

1 share, you know, the property owner driving up -- it
2 looks like it's approximately -- currently it's, like,
3 100 feet before it splits off in the current
4 situation. But now they'll just have their own
5 portion of their driveway.

6 Because if -- you can almost picture
7 there would be like a ten foot wide median in between
8 the driveways with the proposed plan. So I guess
9 that's addressing the driveway issue. If -- I don't
10 know if Betsy can do it, but if you can zoom up onto
11 the location plan, are you able to do that, Betsy?

12 MS. HATCH: Chris is running the
13 presentation but he might be able to. Let me --

14 MR. RUSSO: If you can -- when I
15 mention the size of the lots, I meant the community.
16 If you just look down Greenbank Road closer to
17 Kirkwood Highway, there are some smaller type lots in
18 that subdivision. I didn't mean the adjacent parcels.
19 I meant more of the community in the immediate area as
20 far as lot sizes. So I'm sorry if I wasn't clear on
21 that.

22 And then also on the location plan, you
23 can see where I noted that there is an existing fire
24 hydrant three lots down from our lot. So there is an

1 existing fire hydrant on Greenbank Road. And, you
2 know what? I haven't -- we haven't met with the fire
3 marshal yet. The fire marshal might say I would like
4 to see a proposed hydrant within the subdivision, so
5 that could happen and, you know, I think there is
6 probably about a 80 percent chance that he may do that
7 because he typically would like to see a proposed
8 hydrant on a project like that. So that's likely that
9 that new hydrant on our property would happen.

10 MR. DAVIS: Great. Thank you.

11 MR. CHINNERY: Can I ask a supplemental
12 question?

13 MR. DAVIS: Yes.

14 MR. CHINNERY: Thank you, Mark, for the
15 explanations. I appreciate that and thank you for the
16 clarification about the driveway with a ten foot
17 median because obviously we've been concerned about
18 construction vehicles tearing up their driveway even
19 more, so -- especially with more residences on the
20 driveway, so I like your idea of having a separated
21 driveway by ten feet.

22 That ten foot median, would that go
23 down to Greenbank Road or is -- would it only go down
24 to where the 90 degree comes off? I'm just trying to

1 get -- I can't really see the plan that clearly.

2 MR. RUSSO: So if you can see -- it
3 won't go all the way down to Greenbank Road because we
4 -- there has to be -- it goes just below where we have
5 to dedicate right of way to DelDOT. So technically
6 you can kind of see that -- can you visualize that
7 it's one large span that would be, you know, it's
8 going to be about 32, 33 feet wide at the widest point
9 and then the median would begin as you come up off of
10 Greenbank. So there's, which, actually it is probably
11 nice for pulling in and out of your driveway, it gives
12 you a little extra site distance and ability to turn
13 your vehicles, whether you're going north or south.

14 MR. CHINNERY: Yeah. Okay. I see that
15 now. Thank you very much. I see the two little
16 angles that you're showing there to cut in and then
17 the median would start about ten feet up. I
18 understand. Thank you.

19 MR. DAVIS: Great. Thank you.

20 MR. CHINNERY: My other question that
21 wasn't answered, though, was whether the existing
22 structure is likely to be architecturally changed to
23 match the new homes? So we'd essentially have four
24 residences all looking very similar.

1 MR. RUSSO: Can I speak to that?

2 MR. DAVIS: Yes. Mr. Sabley, are you
3 still there?

4 MR. RUSSO: He's muted.

5 MR. DAVIS: Okay.

6 MR. SABLEY: Oh, unmute. Can you hear
7 me now?

8 MR. DAVIS: Yeah, we got you now.
9 Yeah. Would you --

10 MR. SABLEY: Okay.

11 MR. DAVIS: -- like to --

12 MR. SABLEY: Sure.

13 MR. DAVIS: -- offer some clarification
14 on the appearance of the buildings?

15 MR. SABLEY: Absolutely. So the cedar
16 siding is really kind of cool, but unfortunately it's
17 not really -- it's not -- probably not cost effective
18 to keep it. I don't know for sure. I can probably
19 patch it for a little while. We have looked at some
20 different products to put up there like a cedar shake
21 that looks like cedar that's vinyl. If we did do that
22 we would make it sort of match or blend with the other
23 houses that are there. Everything architecturally
24 will blend. And I'm more in tune with sort of earth

1 tone colors and things like that. So it will look all
2 blending together.

3 MR. DAVIS: Great. Thank you.

4 MR. SABLEY: Yeah. And, Steven, on
5 that median in the middle, you know, you and I can
6 talk about how to landscape it.

7 MR. CHINNERY: Okay, Dennis, that
8 sounds great. Can I ask another question while I have
9 you on the call about the accessory dwelling unit? Is
10 that likely to be always linked to the main house or
11 are you proposing to fix that up as an apartment and
12 then sell it?

13 MR. SABLEY: No, it can't be sold. So
14 the whole -- you probably saw that first version of
15 the plan where we had an extra lot there. I'm
16 eliminating a lot and combining the old barn with the
17 house. So it will always go with the house. It will
18 never get subdivided separately. And, as you know,
19 you know, we have our kids there, so it may just --
20 it'll probably just always be sort of an area for the
21 family as they grow.

22 MR. CHINNERY: Yeah, so like a mother
23 in law apartment type -- kind of thing?

24 MR. SABLEY: Exactly, yep.

1 MR. CHINNERY: Okay. Thank you.

2 MR. SABLEY: And I did not know it was
3 a school. I would be surprised if that was a school
4 in there, but --

5 MR. CHINNERY: Yeah, that's what Ms.
6 Manning told us. You know, she used to be the
7 lieutenant governor of Delaware when she lived there
8 and she had a lot of historical records which she
9 passed to us later on.

10 MR. SABLEY: Got you. There's not much
11 headroom up there, but --

12 MR. CHINNERY: No, it's pretty awful.

13 MR. SABLEY: I know. You and I know.
14 All right.

15 MR. DAVIS: Great. Thank you. Betsy,
16 do we have additional public comment?

17 MS. HATCH: We do. Give me one moment.

18 MR. DAVIS: Okay. Thank you.

19 MS. HATCH: Okay. Let's see here.

20 MR. DAVIS: And, again, I'd like to
21 remind the public we're asking for currently comments
22 in favor of the application.

23 (Cross talk)

24 UNKNOWN FEMALE: Can you hear me now?

1 MR. DAVIS: We can hear you. Welcome.

2 UNKNOWN FEMALE: Okay. Great. Thank
3 you so much. Good evening, everyone. I just -- I'm
4 sorry, I missed the beginning of the presentation, so
5 I do apologize if I missed any discussion on this.
6 But I wanted to echo the comments that it is, the, you
7 know, the Greenbank Mill area is a very special
8 historic district and area and community.

9 And it seems like the applicant,
10 Dennis, it sounds like you're doing all the right
11 things for all the right reasons and I definitely
12 applaud, you know, your goals here with the original
13 house and barn and I guess just to pick up on Mr.
14 Brooks' comment, I just wanted to ask if the applicant
15 has been asked whether or not he would consider
16 putting, you know, the lot that remains with the house
17 and barn under H zoning as he moves forward.

18 Because I've, as he probably knows,
19 I've sort of made it a habit just to ask everything
20 like this that comes across my desk in District 2, if
21 they would, you know, consider doing that and the
22 previous project on your agenda, the Crooked Billet
23 project is exactly what happened there, I just reached
24 out to the attorney working on that project and said,

1 hey, you know, would they consider doing H zoning?

2 And, you know, it's not so much for the
3 people that own the property now and live there now
4 but it's, you know, it's sort of to honor the property
5 moving forward into the future and if you're already
6 doing all the right things anyway, it's really, you
7 know, not, you know, a big additional hurdle and it
8 honors all the same goals that it sounds like Dennis
9 has anyway for the property. And it just might help
10 you qualify for some tax benefits. So I just thought
11 I'd mention that and see if there had been any
12 discussion in that regard. Thank you.

13 MR. DAVIS: Thank you. Mr. Sabley,
14 would you like to talk about that? Have you
15 considered H zoning for the -- for that particular
16 lot? Did the mute get us again?

17 MS. HATCH: He's muted.

18 MR. DAVIS: Okay.

19 MR. SABLEY: I got it. Am I there?
20 This technology, it's crazy learning this -- how we do
21 meetings nowadays. I don't know that it's cost
22 effective to add a historic overlay and I am very
23 familiar with it. I've done many projects, you know,
24 that put the historic zoning over, especially if I'm

1 doing an adaptive reuse.

2 This project is not -- is very thin in
3 margin. I'm not sure that I have the time or the
4 money to add historic zoning overlay to the property
5 at this time. It doesn't mean someday in the future,
6 you know, that I potentially would do that. As far as
7 the tax credits, I'm going to give you a little -- or
8 I'm just going to talk about a project that I did once
9 and looked at the tax credits.

10 I think it's a great idea, a great
11 process. I don't know that it's financially viable.
12 When I did the Holiday Herrington House in Greenville,
13 we spent \$4 million renovating a house and converting
14 it to an office. Extensive studies, went through the
15 whole process to do the tax credits.

16 The project ballooned from a \$4 million
17 project to a \$5 million project. That's a 20 percent
18 increase. The benefits on the tax credit side weren't
19 -- didn't make sense. You know, the restrictions that
20 they put, the added layers of the interior stuff that
21 we had to submit in order to get the credits, it just
22 -- it wasn't cost effective.

23 So unless the rules have changed or the
24 process has changed, I am not sure that that's really

1 a viable process for me right now. I think, again, I
2 always do the right thing, I'm always preserving
3 properties and I think I am going to do a great job on
4 this project and I just don't have the additional
5 funds or time to add a historic overlay at this point.
6 But I will consider it in the future.

7 MR. DAVIS: Thank you. Betsy, are we
8 ready for additional public comment there?

9 MS. HATCH: I'm not seeing any more
10 hands raised currently.

11 MR. DAVIS: Okay. I'll make a call
12 for, you know, those in opposition who wish to speak.

13 MS. HATCH: Okay. We do have two
14 hands. Let's see here. So Luke, I just promoted you,
15 so you can unmute.

16 MR. WITTENBOCK: How you doing? My
17 name is Luke Wittenbock (ph). I live at 609 Greenbank
18 Road, so I'm two up -- two south from the proposed
19 building. One thing I want to start off with is the
20 date built is way off. 1910 is way later. It's built
21 closer to 1870s. We have the Wilmer Atkinson book
22 that has a picture of the original house. So I don't
23 know if that makes any difference.

24 I'd also like to talk about the

1 environmental impact. I think it's laughable that Mr.
2 -- that Dennis said that there's no environmental
3 impact when he took down over 200 trees to clear the
4 property. Putting in more asphalt, driveways, you
5 know, I'd like to see New Castle County has committed
6 to show -- keeping more greenspace. I'd love to keep
7 the greenspace. Somebody else on the board mentioned
8 the historic character of this street. I was raised
9 on this street. I was born in the house that I live
10 in now. I bought it from my parents because I wanted
11 to come back to this area.

12 It's a special place in Delaware.
13 There's no other place in this area that's like this
14 that has the historic, you know, they got the
15 Greenbank Mill down the road. Like Steven Chinnery
16 was saying, most of the properties here have larger
17 chunks of land which is unthinkable between 41 and
18 Kirkwood Highway. People don't know that this street
19 exists.

20 This build of four more houses -- I'm
21 sorry, three more houses but then I also worry when we
22 say accessory dwelling unit. That's just another way
23 to get a fifth house in there and I know it'll still
24 belong to the historic house, but that's still going

1 to be more people, more individuals living there. So
2 I think it does, it drastically changes it.

3 I think it'll decrease the property
4 values. You're putting a neighborhood on a smaller --
5 on a -- it's not a small chunk of land, it's a nice
6 chunk of land, but you're breaking it up and I hate to
7 see this street change like that. I mean, I've lived
8 here all my life.

9 And then Mr. Russo said that some of
10 the lots at the end of the street are smaller. And
11 he's right, but some of those lots are also businesses
12 and they're not homes. So those are just some of my
13 concerns.

14 MR. DAVIS: Okay.

15 MR. WITTENBOCK: Thank you.

16 MR. DAVIS: Thank you very much.

17 MS. HATCH: We do have one more hand
18 raised. All right. Alex Kuehn. I think you should
19 be able to mute, there.

20 MS. KUEHN: Hi. We are Becky and Alex
21 Kuehn. We live next door on the northside at 603.
22 I'm horrified to see that another tree is going in
23 addition to the 125 plus that already went two years
24 ago. I see that this lot four is, what, like five

1 feet off of our property and another -- and a privacy
2 fence is going in there, too, from what I understand.

3 Can we see the slide with the lots
4 again, please? Thank you. So we've got the proposed
5 dwelling towards the street four and then whatever --
6 what's it say -- CMA3? I can't quite read it. I
7 don't know what that is. But if you look to the right
8 side, that's driveway. So yeah, CMA3, I'm not sure
9 what that is. So this house is going to be right on
10 top of us and I -- after all those trees were cut
11 down, I had my Lorax moment, put some apple trees
12 there. It's going to be -- sorry. Okay. I'm done
13 talking.

14 MR. DAVIS: That's fine. Thank you.
15 Thank you for your comments. Mark or Dennis, would
16 you care to comment about the separation between the
17 lots there?

18 MR. SABLEY: Sure. I'll let Mark talk
19 on the separation, but --

20 MR. DAVIS: Maybe Mark could clarify
21 the conveyance mitigation area there.

22 MR. SABLEY: Am I on mute?

23 MR. DAVIS: No, we can hear you,
24 Dennis.

1 MR. SABLEY: Oh, okay. So one of the
2 things that we were proposing to do, and first, it
3 wasn't 125 trees. There was probably 15 trees that
4 were unhealthy. A few of them were actually on the
5 neighbor's property, the neighbor to my right, but
6 they were big Hemlocks that were kind of unhealthy and
7 coming down anyway. We took them down. I think we
8 were all in agreement of it.

9 But our goal is to, you know, to keep
10 that privacy was to continue the fence down from the
11 barn down to the road to add some more separation but
12 we're happy to probably add some more landscaping or
13 something that, you know, would give a little bit more
14 separation. But, again, we're really trying to do a
15 project that's low impact. Mark will have to look at
16 the impact of the house and how close it is to the
17 side. But it's actually a little bit further away
18 than the normal setback.

19 MR. DAVIS: Yes, we can see the
20 building setback line there.

21 MR. SABLEY: Yeah. Okay. Mark, I
22 don't know if you want to comment any more. I think
23 he's muted.

24 MR. RUSSO: I got it. So I'll comment

1 about the -- quickly on the conveyance mitigation
2 area. Basically, it is a residential stormwater
3 management facility that would be underground and you
4 would not even know it's there. So it's just
5 something that we needed to show on the plan. You
6 wouldn't even see it.

7 As far as the setback is concerned, I
8 mean, we possibly could do -- depends on the -- you
9 know, I tried to -- the minimum setback is six feet
10 and I kept the building off a couple extra feet.
11 Like, I don't -- I think the total distance probably
12 between both dwellings, I was looking on Google Earth
13 just to try and get an idea from your garage to maybe
14 our house it would be 35 feet plus. So, I mean,
15 that's not a bad separation. And that's, again, it's
16 their garage that would be the closest point to the
17 house.

18 MR. SABLEY: Mark, we can look at if we
19 can shift the house over a little bit further.

20 MR. RUSSO: Sure.

21 MR. DAVIS: Ms. Anderson?

22 MS. ANDERSON: Yes. Can you just
23 clarify for lots two and three, you're asking for a
24 zero setback. Where is that zero setback going to

1 occur? It looks like you have six feet on maybe a
2 rear and maybe one side sort of. But the other two
3 sides have more than enough space.

4 MR. RUSSO: So the way the county looks
5 at that is there is technically not a front yard. So
6 there is a rear yard which is 25, you know, behind the
7 dwellings, and the rest of the yards are considered
8 side yards. The zero setback just has to do with the
9 fact that those lots do not have street frontage. I
10 mean, the lots are approximately, you can see they're
11 -- you've got one's 80, they're approximately average
12 of 80 foot wide. But they just -- they don't front a
13 street and that's the variance that's needed.

14 MS. ANDERSON: Okay. Thank you.

15 MR. RUSSO: It's kind of like a flag
16 lot that doesn't have the flag portion, you know, from
17 the street.

18 MR. DAVIS: Okay. Thank you. Betsy,
19 do we have additional public comment?

20 MS. HATCH: I am seeing no further
21 hands raised.

22 MR. DAVIS: Okay. Very good. Well,
23 thank you to the applicants.

24 MR. SABLEY: Thank you.

1 MR. DAVIS: We are on to the report of
2 the preservation planner.

3 MS. HATCH: Just a quick note, so the
4 business meeting where these items will be discussed,
5 again, is on February 2, 2021 at 5:00 p.m. via Zoom.
6 So the link will be accessible through the agenda
7 center. And just a reminder, the board members were
8 provided with a copy of the bylaws in the packet that
9 was forwarded to them which we will be looking at
10 during the February business meeting as well as an
11 update on the ongoing historic overlay inspections.
12 And that's all that I have for you tonight.

13 MR. DAVIS: Thank you. And if we can
14 get any comments on the bylaws to Colleen prior to the
15 meeting, that would be helpful. Okay. Mr. Brook.

16 MR. BROOK: Thank you, Mr. Chairman. I
17 have a question for Betsy. Betsy, in reviewing these
18 bylaws, are there changes in code that need to be
19 incorporated into our bylaws?

20 MS. HATCH: I don't -- the recently
21 adopted ordinance 2071, the comprehensive update, that
22 didn't necessarily change our the board functions.
23 But we will take another look at it just to be sure.

24 MR. BROOK: Thank you.

1 MR. DAVIS: Ms. Anderson.

2 MS. ANDERSON: Yes. I just wanted to
3 see, when we forward them, I went through and I marked
4 it up. Can I just send my markup? I don't have to,
5 like, have to write something up?

6 MR. DAVIS: Is Colleen on?

7 MS. HATCH: Colleen is here.

8 UNKNOWN FEMALE: Yeah, I'm here.

9 MR. DAVIS: Okay.

10 UNKNOWN FEMALE: Yeah, that's fine, as
11 long as I can read it, sure.

12 MS. ANDERSON: Oh, yeah, I marked it up
13 in PDF.

14 UNKNOWN FEMALE: Oh, okay. Yeah, sure.
15 No problem. That's fine. Yeah, that would be a waste
16 of everybody's time. I don't want some memo just, you
17 know, things that you think of you can mark on it or
18 you can just, you know, send your thoughts and we'll
19 try to go over it. I know Rafael had his hand up --
20 has his hand up but I know before we talked about sort
21 of a little type of, you know, manual, so I have that
22 aspect of it, too, but yeah, just -- I'd rather, you
23 know, you send me what you got and then we can kind of
24 go through it.

1 MS. ANDERSON: Yeah. It's just my --
2 it's just thoughts, so --

3 UNKNOWN FEMALE: Right.

4 MS. ANDERSON: -- kind of like -- it's
5 kind of like a question mark behind every one of them.

6 UNKNOWN FEMALE: Understood.

7 MR. DAVIS: Rafael.

8 MR. ZAHRALDDIN: Did you guys, Colleen,
9 did you e-mail that out, the bylaws?

10 UNKNOWN FEMALE: No, Betsy did.

11 MR. ZAHRALDDIN: Betsy, did you send
12 them?

13 MS. HATCH: Yeah, they were in the
14 packet that was forwarded to the board.

15 MR. DAVIS: Yeah, they're part of the
16 packet.

17 MR. ZAHRALDDIN: This? Okay. I just
18 wanted to make sure. I didn't know if they came
19 separately and since I have a new e-mail, I wanted to
20 make sure it didn't go into the ether of my old law
21 firm. Okay. Thanks.

22 MR. PATEL: (inaudible) last seven
23 pages.

24 MR. ZAHRALDDIN: Okay.

1 MR. DAVIS: Mr. Brook.

2 MR. ZAHRALDDIN: Brook is muted.

3 MS. HATCH: He lowered his hand.

4 MR. DAVIS: Oh, okay. Okay.

5 MR. BROOK: Sorry about that.

6 MR. DAVIS: That's okay. One final
7 call for public comment.

8 MS. HATCH: I am not seeing any hands
9 raised.

10 MR. DAVIS: All right. Do we have a
11 motion to adjourn?

12 MR. PATEL: I make a motion to adjourn.

13 MR. JOHNS: Second.

14 MR. DAVIS: All in favor?

15 ALL: Aye.

16 MR. DAVIS: Aye. That concludes our
17 meeting.

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19 (Whereupon, this hearing concluded.)

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C E R T I F I C A T I O N

I, Rebecca Murray, certify that the foregoing is
a true and accurate transcript from the official
electronic sound recording.



Rebecca Murray
Approved Transcriber

Dated: February 3, 2021

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