ATTENDEES:

Betsy Hatch, Moderator
Colleen Norris, Law Department
Dr. Barbara Benson, Chairwoman
Perry Patel, Board Member
John Davis, Board Member
Rafael Zahralddin, Board Member
Barbara Silver, Board Member
Karen Anderson, Board Member
John Brook, Board Member
Stephen Johns, Board Member
Michael Cody, Applicant
Wendy Stabler, Applicant
Carol Ohm, Applicant
John Price
Dave Baker
Bill Bell, Councilman
Dee Durham, Councilwoman
Mark Reynolds
Bill Rhodunda
Bob Murrell
Chris Jackson
PROCEDINGS

MS. HATCH: Hello. I think you guys are muted. There we go.

UNKNOWN FEUNKNOWN MALE 1: (Inaudible)

better now?

MS. HATCH: You are.

UNKNOWN FEUNKNOWN MALE 1: Okay.

MS. HATCH: Hello.

UNKNOWN FEUNKNOWN MALE 1: Hello.

UNKNOWN MALE 1: How you doing?

UNKNOWN FEUNKNOWN MALE 2: Hello?

MS. HATCH: Hello, we can hear you.

UNKNOWN FEUNKNOWN MALE 2: Good. Okay.

UNKNOWN MALE 2: (Inaudible).

MS. HATCH: Did you all get the hard copies of your packets?

UNKNOWN FEUNKNOWN MALE 1: Thank you.

MS. HATCH: Yep. All right. Let's see here.

UNKNOWN FEUNKNOWN MALE 1: Can you see me?

MS. HATCH: I can't. Let me ask to start your video. Yeah, okay. Here we go. Start my video. There we go.
UNKNOWN FEUNKNOWN MALE 1: Hello.

UNKNOWN MALE 2: Hello.

MS. HATCH: You're joined tonight by my lemon tree off my shoulder which is --

UNKNOWN FEUNKNOWN MALE 1: -- (cross talk) --

MS. HATCH: -- residing inside because it's supposed to freeze tonight.

UNKNOWN FEUNKNOWN MALE 1: Yep.

Actually, I need -- that reminds me, I need to tell Chad (ph) to bring in the plants.

MS. HATCH: Yeah, it usually sits out on the patio, but not tonight. I have nursed that for a couple of years now, so --

UNKNOWN FEUNKNOWN MALE 1: Yep. I've been doing the in and out and in and out of all my plants and I started growing rhubarb --

MS. HATCH: Oh --

UNKNOWN FEUNKNOWN MALE 1: -- and I've been trying to grow it in a pot and I've been like -- I've been babying this rhubarb and I'm so mad because some animal came and ate like half my seedlings. I had like 12 plants and --

MS. HATCH: Oh --
UNKNOWN FEUNKOWN MALE 1: -- so, but I have like four left. So I'm like extra careful about the rhubarb.

MS. HATCH: Hopefully, this will be the last couple of days of the freeze.

UNKNOWN FEUNKOWN MALE 1: Yeah, I hope so.

UNKNOWN FEUNKOWN MALE 2: Well, I'm growing baby tomato plants.

UNKNOWN FEUNKOWN MALE 1: Yeah -- yep, me, too. Yep.

UNKNOWN MALE 1: My mom used to make a great rhubarb pie.

UNKNOWN FEUNKOWN MALE 1: Yes -- yep.

UNKNOWN MALE 1: (Cross talk) rhubarb and 20 cups of sugar in it.

UNKNOWN FEUNKOWN MALE 1: Uh-huh. It's good stuff. Yeah. They -- I bought this book that has colonial spirit's recipes and one of them was a rhubarb lemonade -- strawberry rhubarb lemonade recipe.

UNKNOWN MALE 1: (Inaudible).

UNKNOWN FEUNKOWN MALE 1: So I've been wanting to try that out.
UNKNOWN FEUNKOWN MALE 2: It's very weird seeing the two of you in the room all by yourself.

MS. HATCH: I know, I know.

UNKNOWN MALE 1: (Cross talk) turning off that video.

MS. HATCH: So we're still waiting --

UNKNOWN MALE 2: Like we don't need the video, correct?

MS. HATCH: I don't think so.

UNKNOWN MALE 1: Where did they go?

MS. HATCH: Let's see --

UNKNOWN MALE 1: Betsy is still here.

MS. HATCH: I am. Let me see. Let me try and call -- so we're still missing (inaudible) --

UNKNOWN MALE 1: (Inaudible) John Brook.

MS. HATCH: Uh-huh.

UNKNOWN FEUNKOWN MALE 2: Rafael --

UNKNOWN MALE 1: Our fearless leader, Barb.

MS. HATCH: So, Colleen (ph), they had a business meeting this morning and one of -- I was talking with Matt (ph) and one of his recommendations
was -- I don't know if Barbara could lead the charge on this, but making a motion for the rules of order so that just public comment can be in any particular order to manage it --

MS. NORRIS: Uh-huh.

MS. HATCH: -- or if that -- that could be changed at all or -- or we could just do our best and help -- you know -- say, "Okay, this is only in favor and only opposed."

MS. NORRIS: Yeah, I mean -- I -- I guess the -- you can, you just -- you know -- then would we want to change it back as soon as things were back to in person --

MS. HATCH: Uh-huh.

MS. NORRIS: -- it's --

UNKNOWN MALE 1: If that ever happens.

MS. NORRIS: Right, exactly. I'm starting to wonder.

MS. HATCH: I know.

UNKNOWN FEMALE: And -- and will I -- you know -- be able to put on work clothes and leave my house.

MS. HATCH: I know.

MS. NORRIS: (Cross talk) office, but --
- you know -- I think you should be able to manage it
and just -- you know -- you as the moderator. I mean
-- you're not --

MS. HATCH: Uh-huh.

MS. NORRIS: -- the chair, but you're
the moderator -- the necessary moderator working the
technology. I think to the extent -- is -- is Dr. Benson
going to be in the meeting tonight.

MS. HATCH: She should be. Yeah, I was
actually about to get her a -- give her a call to see
if she's having any issues logging in.

MS. NORRIS: But -- you know -- she can
-- as long as she says -- you know -- "Comments for" --
- then you as the moderator -- you know -- can stop
it. I mean, you're allowed to --

MS. HATCH: Okay.

MS. NORRIS: -- so.

MS. HATCH: Okay. Yeah, that's fine.

MS. NORRIS: I think we just -- you
know -- we really need to be like -- I'm more worried
about -- you know -- us being careful on -- you know --
- making a motion, seconding the motion --

MS. HATCH: Right.

MS. NORRIS: -- calling a vote, having
discussion, staying on topic with the -- you know --
with whatever the questions of the applicant area --

MS. HATCH: Right.

MS. NORRIS: As long as we do that, I'm less worried about the public comment.

MS. HATCH: Okay. Okay. Because I'll share this with you over email.

MS. NORRIS: Okay.

MS. HATCH: Yeah, we're pulling up the presentation for tonight.

MS. NORRIS: Okay.

MS. HATCH: All right. I'm going to call Barbara. Hey, Barbara, this is Betsy. Just giving you a call, seeing if you are able to log into Zoom. This is my cell phone number. Feel free to give me a call back. Thanks, bye. All right. I'll just start going down the list.

UNKNOWN FEUNKOWN MALE 2: Well, I'm going to run out of coffee before the meeting starts, but then I won't actually have time to go get another one. Well, that is what a husband is for --

UNKNOWN MALE 1: (Inaudible) coffee.

UNKNOWN FEUNKOWN MALE 2: --

(inaudible) husband (inaudible).
UNKNOWN MALE 1: Yeah, yeah. This is coffee like Johnny Carson used to drink coffee.

MS. HATCH: What's in the -- in the opaque coffee cup is nobody's business.

UNKNOWN MALE 2: My husband and I have been tag-teaming a little bit. It's like, "We need coffee, but I'm in the middle of a meeting." I'm like, "Okay, I'll get it." So we have been doing this back-and-forth a little bit.

UNKNOWN MALE 3: Okay. There I am.

MS. HATCH: All right. We see you.

UNKNOWN MALE 3: And I can hear you. Can you hear me?

MS. HATCH: Yeah, we can hear you.

UNKNOWN MALE 1: (Cross talk).

UNKNOWN MALE 3: All right. Let's not mess with it then.

UNKNOWN MALE: (Inaudible).

UNKNOWN MALE 3: Now, I (cross talk) --

MS. HATCH: Hi there. Who's 302-383-1454?

UNKNOWN FEMALE: Barbara.

MS. HATCH: Hi, Barbara.

DR. BENSON: Well, I happened to be on
my iPhone because I cannot get on the iPad.

   MS. HATCH: Oh, okay.

   DR. BENSON: You're going to have to
   walk me through it again.

   MS. HATCH: Okay. Let me give you --
   let me give you a call.

   UNKNOWN MALE 3: You want me to tell
   her how to do it?

   DR. BENSON: On the iPhone or the iPad?

   MS. HATCH: I'll give you a call on the
   iPhone, so we can get it running on your iPad.

   DR. BENSON: Great. Okay.

   MS. HATCH: All right. Thanks.

   UNKNOWN MALE 3: Tell her to install
   the app, okay?

   MS. HATCH: Yeah, okay.

   UNKNOWN MALE 3: All right. Yeah,
   that's better.

   MS. HATCH: Hey, Barbara. How are you?

   Oh, no. Okay. So do you have the meeting invite?

   UNKNOWN MALE 3: There we go.

   MS. HATCH: All right. Let's see here.

   We're still waiting on Rafael, I think that's it. One
   -- or Karen -- and Karen.
UNKNOWN MALE 3: (Inaudible).

MS. HATCH: Okay. Oh, here we go.

Here's Karen.

UNKNOWN MALE 3: There she is.

MS. HATCH: All right. And let's find -- I think we're just waiting on Rafael. Oh --

UNKNOWN MALE 3: Should the microphone (inaudible) -- the microphone have a little red line through it?

MS. HATCH: It should not. I just unmuted Barbara Benson.

UNKNOWN MALE 3: Karen (inaudible) -- all right. And John Davis (cross talk) --

DR. BENSON: Okay. Can you hear me?

MS. HATCH: Yep, we can hear you.

UNKNOWN MALE 1: Yeah, I was keeping mine on mute.

UNKNOWN MALE 3: Okay. There we go.

MS. HATCH: Okay.

UNKNOWN MALE 1: I have -- I have three kids at home. May get a little noisy here.

MS. HATCH: That's fair. All right.
Let me try calling Rafael. All right. So have a number of attendees already in and listening and if it's okay to have, to see if people can raise their hands just to make sure that feature is working. If you're logged into the computer, the raised hand feature is in the participants window. You should be allowed to see -- oh, here we go. Yep, all right. So I'm seeing some hands raised. Okay, great. Yep. Great. Perfect. (Inaudible). All right. Chairwoman Benson, I believe that it is 5:00.

DR. BENSON: All right. Is there any way I can get everyone on the screen at the same time?

MS. HATCH: We can hold a -- if you drag on -- there should be a -- a selection of tiles -- thumbnails or we could stop sharing the screen for the time -- the moment. You want to do that?

DR. BENSON: Okay. Well, let me just start -- let me just start the meeting.

MS. HATCH: Okay.

DR. BENSON: Good evening. I would like to call the New Castle County Historic Review Board Public Hearing of April 21, 2020, to order. It is 5:00 by the Chair's watch. We will begin with roll call. I'm Barbara Benson.
MR. BROOK: I'm John Brook.

MS. ANDERSON: I'm Karen Anderson.

MS. SILBER: Barbara Silber.

MR. JOHNS: Stephen Johns.

MR. PATEL: Perry Patel.

MR. DAVIS: John Davis.

DR. BENSON: Thank you. We also have with us Betsy Hatch from the Department of Land Use and Colleen Norris (ph) from the Law Department. Barbara?

MS. SILBER: I think Rafael is in the -- - in the attendees section.

MS. HATCH: All right. Let's see here. Here we go. We will (inaudible). All right. He -- all right. I believe he's in.

MR. ZAHRALDDIN: Okay, perfect. I'm -- I'm now in. I -- I don't know how I ended up in the attendees section. Sorry about that.

MS. HATCH: (Cross talk) --

DR. BENSON: And it's Rafael Zahralddin. Betsy, will you read in, please, the Rules of Procedure?

MS. HATCH: Sure thing. This is a public hearing conducted by the New Castle County
Historic Review Board. The purpose of these hearings is to compile a record of relevant information regarding each application and how the proposed projects affect the county's historic resources. To make the most efficient use of time at this hearing, the following rules of order are established:

Following the reading of each agenda item, the applicant and their representatives will make a presentation not to exceed a total of 15 minutes. Board members may ask questions of the applicant at the conclusion of the presentation. The public will then be invited to speak in the following order: 1) Those who wish to speak in favor; 2) those who wish to speak in opposition; and 3) those who wish to offer general comment. Speakers are encouraged to be brief and to focus their remarks on historic issues. So that everyone has an opportunity to be heard, all speakers are limited to five minutes. Any speaker may ask the Board to hold the record open for submittal of written testimony if the time limit is not sufficient for their needs. Speakers are not permitted to debate the applicant, but may ask questions that the applicant may choose to answer during his rebuttal period at the close of the comment
period. All testimony is recorded and transcribed; therefore, all speakers must come forward to the phone one at a time and state their name, address, and organization affiliation, if any, before offering any comments. Random comments from the audience will not be recognized and the public is asked to respect the applicant's right to an orderly hearing. No recommendations or decision will be made at the -- by the Historic Review Board at the hearing today. The Board will evaluate the information, testimony, and comments received here at a public business meeting to be held the first Tuesday of next month.

And just so, this is our first virtual Zoom meeting and public hearing, so as you'll see on the -- the screen that's shared with everyone, when it comes time for public comment, we're asking folks to use the raised hand feature which is next to your name in the participant's window in the app. If you run into issues, feel free to give me an email at Elizabeth.hatch@newcastledle.gov. It's also on the HRB's main website as well. We are asking applicants to have a designated person to speak on behalf of their application and we'll -- we will continue to advance through the -- the PowerPoint throughout the
meeting. So we appreciate everyone's patience and look forward to a -- a good meeting.

DR. BENSON: All right. We will begin with old business. Betsy, will you read in the first application, please?

MS. HATCH: Sure. All right. Our first application for the evening (inaudible) is Application 2019-11543: 1139 La Grange Parkway. (East side of La Grange Parkway, east of the intersection with South -- South Aikens Court.) (Tax Parcel 11-026.20-001.)

UNKNOWN FEMALE: (Cross talk) --

MS. HATCH: -- Pencader Hundred. Residential building permit to construct a screened-in porch off the rear of a dwelling located within the La Grange Subdivision. S & H Zoning. Council District 11. And I am going to bring forward the presenter is Michael Cody (ph). We will allow to talk. Michael, are you there?

MR. CODY: I am. Can you hear me okay?

MS. HATCH: We can.

MR. CODY: So I can get started?

MS. HATCH: Yep.

MR. CODY: Thank you. I, first and
foremost, thank the Board -- yourself, Ms. Hatch, for putting together the Zoom meeting to do all your guys' best to continue business on the best method possible. So I thank all of you for that. But yeah, essentially, just to carry from the previous meeting to now. We are constructing a three-season sunroom and I think the issue on the last meeting was -- in the previous submittal, we had a double-sliding window. So I spoke to the client whose property this is and essentially have changed the structure, if you will. Where you see this sliding door, we're going to have a wall that runs along 14 foot and go back to the house 11 foot, so essentially, what we're doing -- Ms. Hatch, if you can go back to that last slide real quick. We are -- these double-hung windows that are on the back of the house now and the siding on this house is exactly what we're going to put on the exterior wall of the new three-season sunroom. So it is going to be an exact like for like. So as you see here, we'll have a well coming across off the sliding door and then back to the house 11 feet. So it's a 14 by 11 three-season sunroom with exact matched siding on the exterior and the windows to mass the existing grid pattern of the windows there. So it will like it
has been part of the home once we are complete. The shingles on top of the roof will match as well.

DR. BENSON: Thank you. Do you have any other materials to add to your presentation?

MR. CODY: Not -- just to -- no, there isn't at this time. It would be the -- the real big change, like I said, was the windows that would be matching as well as the siding on the existing home. And then the other --

DR. BENSON: Thank you.

MR. CODY: -- (cross talk) and these drawings you see here are the footings and things and the foundation layout that would be underneath the structure.

DR. BENSON: Thank you very much. Are -- are there questions from the Board?

MS. HATCH: Chairwoman Benson?

DR. BENSON: Yes.

MS. HATCH: Mr. Brook has -- is raising his hand.

DR. BENSON: John?

MR. BROOK: Yes. John Brook, member of the Historic Review Board. What I don't see is a elevation to show how this fits in with the rest of
the house.

MR. CODY: Go back to that drawing you (inaudible) go back to where you were before. Right there. So this -- go one more back. Right there. So this elevation where you see the nine foot down to eight foot -- I believe your name was John --

MR. BROOK: Yeah.

MR. CODY: -- that 9-foot mark -- now, Betsy, if you could, go back to the original house drawing of the house itself. Yes, right there. You see that soffit that's there above the sliding door, John?

MR. BROOK: Yes.

MR. CODY: That soffit will get removed so the roof line can continue down. So we'll -- that would be the elevation. So we would continue the elevation that's there just extending it out past that first window, but stopping --

MR. BROOK: It would -- it would drop one foot then --

MR. CODY: Correct.

MR. BROOK: -- from -- from the soffit out to wherever you're stopping the porch?

MR. CODY: Yes, sir.
MR. BROOK:  Okay. So you won't have
the same pitch on this roof as exists on the rest of
the house?

MR. CODY:  That -- right, because we
would -- they -- if we tried to maintain that hip or
really that -- I think that roof -- you don't see it
in the picture -- that roof I think is a 312 pitch and
we'll be closer to a -- actually, it would be -- we're
going to try to get to low -- below eight foot, but it
will be -- we won't be able to match that same pitch
because of the windows that are existing --

MR. BROOK:  (Cross talk).

MR. CODY:  -- on that house.

MR. BROOK:  Okay. How far out on this
-- this picture that I'm looking at of the house --
there's two windows I'm looking at on the back of the
house -- will this come out and cover the -- all those
windows?

MR. CODY:  No, it will cover the first
one, but stop short of the second.

MR. BROOK:  Okay. Short of the water
faucet maybe?

MR. CODY:  Right before that, correct.

MR. BROOK:  All right. That's all I
want to know. Thank you.

MR. CODY: No problem.

MS. HATCH: Chairwoman Benson, Karen Anderson raised her hand as well as Mr. Johns.

DR. BENSON: All right. Let's start with Karen.

MS. ANDERSON: I just had one additional question. I just wanted to verify that you said that you're going to use matching roofing?

MR. CODY: Correct. The color match on the low slope shingle would match the existing shingle as well as the siding.

MS. ANDERSON: Okay. Thank you.

DR. BENSON: Now, Steve Johns.

MR. JOHNS: I -- I have -- I have two questions. The -- the easy one is will the windows -- the new windows be the same size as the windows that we're looking at right now?

MR. CODY: Yes.

MR. JOHNS: Okay. So the more complicated question is -- it has to do with the roofline. So the roof is going to slope away from the house towards us when we're looking at that photograph; is that correct?
MR. CODY: No, that is not correct. It's going to follow that roof that's there now on the left side. It's going to continue along the house.

MR. JOHNS: So it's going to slope across the top of the -- of the window --

MR. CODY: As it is now, right, exactly.

MR. JOHNS: Okay.

DR. BENSON: Are there other questions?

MS. HATCH: I'm not seeing any.

DR. BENSON: Then -- then we're finished, at least for the moment. Thank you very much. Now is there anyone in the audience who wishes to speak in favor of this application?

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

DR. BENSON: Anyone who wishes to speak in opposition?

MS. HATCH: I'm seeing no raised hands.

DR. BENSON: Well, we'll for three. Is there anyone who just wants to speak? If not, thank you very much.

MS. HATCH: All right. I think we're good.
DR. BENSON: All right.

MS. HATCH: Oh, Chairwoman Benson --

DR. BENSON: Yes.

MS. HATCH: -- Mr. Johns has raised his hand.

DR. BENSON: Oh, Steve?

MR. JOHNS: Can -- so I'm -- I'm looking at these plans and I don't understand -- I -- it looks to me like the roof is going to slope away from the house towards us when we're looking at it on those plans. So I -- I was just wondering how that's going to work with the -- the roofline -- that existing roofline.

MS. HATCH: I -- I guess, Chairwoman Benson, are we able to -- and I would ask to consult with law -- are we able to -- to reengage the applicant on this?

DR. BENSON: If I don't hear from Colleen, I'm -- I'm willing to let the applicant respond to that.

MS. NORRIS: I mean, technically, it's concluded, but he would be permitted -- he -- Member Johns would be permitted to -- you know -- ask a question at the business meeting. So in light of our
sort of unusual circumstances and the fact that the applicant -- if they're still -- are they still available?

MS. HATCH: I --

MS. NORRIS: (Cross talk) on the screen anymore.

MS. HATCH: I -- I can permit them to talk.

MS. NORRIS: Okay. Then, it -- it seems to make the most judicious use of time to just allow him to ask one more question, but I would suggest that we try to ask all our (inaudible) --

DR. BENSON: Yes, and it's difficult --

MS. NORRIS: (cross talk) before we move on --

DR. BENSON: -- because I can't see everyone --

MS. NORRIS: -- to public comment.

DR. BENSON: -- right at the moment, so poor Betsy is --

MS. NORRIS: Right.

DR. BENSON: -- arbiter of this.

MS. NORRIS: Exactly. (Inaudible).

DR. BENSON: All right. Sir --
MS. NORRIS: Exactly. So no harm, no foul.

DR. BENSON: Exactly. All right. We will -- Steve, do you want to raise your question again and then the applicant can answer?

MR. JOHNS: When I look at the plans, it looks like the roof -- the intent of the roof is to -- to slope away from the house as we're looking at -- towards us as looking at it, which goes against the roofline of the side of the building. So I (inaudible) -- are the plans wrong or do I --

MR. CODY: Yeah --

MR. JOHNS: -- read the plans wrong?

MR. CODY: -- no, no, you're 100 percent, Steve, correct. What I was trying to do with my design software is to give you the best illustration to show and I -- I couldn't get that wall to switch, so it is 100 percent accurate that that roof -- that soffit will be cut back and the roof will run parallel with the back of the house.

MR. JOHNS: Okay.

DR. BENSON: Does that mean flat?

MR. CODY: No, it will have a sloped to it.
DR. BENSON: Okay.

MR. JOHNS: But it will not be the way the plans currently show it?

MR. CODY: Right. Our building plan -- I was trying to show an illustration to you to show really more for the grid windows because in the previous meeting, the grid windows were really the -- the issue -- that they were trying to have the windows more accurately depicted based on what was existing on the home and the previous windows were a sliding style, much longer in height. So I was really trying to show that the siding, the shingles, and windows would match, but the -- the slope of the roof would, like I said, start back where that soffit gets cut back and run along the house to match the existing -- the existing roofline that's there now.

MR. JOHNS: Okay.

MS. HATCH: Chairwoman Benson, Karen Anderson has raised her hand.

DR. BENSON: Karen?

MS. ANDERSON: Yes. I -- I think that that -- what Steve Johns was speaking about is a key point, so I -- I think it would be great to actually see what the true intent is because when you do look
at these based on the plan that is submitted -- the
site plan -- orientation and the elevation then they
are not reflecting --

MR. CODY:  Yeah --

MS. ANDERSON:  -- and neither is the
section reflecting the -- the roof slope -- the proper
roof slope.  So --

MR. CODY:  Yeah, you -- you --

MS. ANDERSON:  -- it would be great if
we could see something revised that actually shows the
correct roof slope.  I think that's important because
that is going to connect to the existing -- the -- the
lower roof of that existing slope -- roof slope.  Is -
-- is that correct?

MR. CODY:  Yes.  That soffit would get
cut back, so this elevation picture we're looking at
here -- once that soffit's back -- cut back, we would
gain the nine foot elevation down to eight foot.

MS. ANDERSON:  Right, but this picture
that you're looking at right now which is the section
has the incorrect slope on it because technically if
that's the existing -- well, it depends on -- well, no
-- no, because based on the -- the plan that you
provided showing where the section cut is, then this
section actually should be sloping towards us.

MR. CODY: Right. No, the -- the section -- that picture you just had up showing the elevation -- Section A --

MS. ANDERSON: Yes, that one.

MR. CODY: -- that --

MS. ANDERSON: That slope is not correct.

MR. CODY: No, this -- it's -- that's not -- you're looking at a detail, you're not looking how it's attached to this particular structure. So if you're looking at that height of nine foot down to eight foot, that would be the location in which we're cutting back the soffit and connecting, continuing the roofline on.

MS. ANDERSON: See, when you look at -- when I'm looking at the plan that you have now -- this floor plan -- I thought that the -- the slope -- the roof was sloping to the right.

MR. CODY: It is. That roof is sloping -- sloping to the right.

MS. ANDERSON: Okay. So if you take a section at the location that you were speaking about, then -- then the roof would be sloping -- sloping --
it would be sloping towards us.

MR. CODY: Right. (Inaudible) then our engineering (inaudible) -- my drawings that -- this is -- this drawing we're looking at here is a footing detail and it just shows the -- the pitch of the roof, it doesn't depict the location on that particular property. This is a detail we use that shows footing depth and the elevation of height. So it -- in, but I'm telling you the roof pitch lies where the soffit cuts back and it's running parallel with the house.

So that --

MS. ANDERSON: If you go to the -- if you go to your elevation sheet -- those roof slopes, according to your plan, are incorrect.

MR. CODY: Right.

MS. ANDERSON: The elevation at the bottom -- number one -- should be --

MR. CODY: (Inaudible).

MS. ANDERSON: -- sloping to the right and elevation number two should be sloping towards us.

MR. CODY: Yeah, I just have to figure out -- so that's exactly right. That is correct.

MS. ANDERSON: So I -- well, I guess what I'm saying is that I think that the drawings need
to be maybe resubmitted or revised so that they -- so
that we're all clear on the roof slope. I think it's
very important.

DR. BENSON: I agree. I think if -- we
really do need to see it to understand how it will
look when it is finished.

MS. HATCH: Chairman Benson, Mr. Brook
has had his hand raised.

DR. BENSON: Oh, yes. Okay. John?

MR. BROOK: Yeah, I -- I agree with
what you folks are saying. I think that's why I asked
the question about the diagram of the elevation. I
think we need to look at the whole back of this
structure with the -- this porch added to really
understand what it's going to look like.

MR. CODY: Right, so when I --

MR. BROOK: And --

MR. CODY: -- go ahead.

MR. BROOK: -- and the roof does slope
the wrong way. It's very confusing the way you have
it drawn.

MR. CODY: So what I can do is I will
have the drawings redone showing this slope along --
parallel along with the back of the house and then
what I'll also try to do is take the picture of the
back of the house and superimpose the room on there to
give you a better depiction of what that looks like.

   DR. BENSON: I think that would be very
   useful to us.

   MR. CODY: Okay. And then would --
would I be able to present this maybe in the May
meeting or?

   MS. HATCH: If you send it to my email,
I can distribute it if you can get it to me before the
business meeting.

   MR. CODY: Yes, I could definitely do
that.

   MS. HATCH: Okay.

   MR. CODY: I'll work on this when the
design team gets in in the morning and try to get that
switched around -- those two walls.

   DR. BENSON: That would be very
helpful.

   MR. CODY: Very good.

   DR. BENSON: Okay. Now can we move on
to the next item?

   MS. NORRIS: I think before you do
officially -- just -- if we could just check to make
sure that the Board's comments didn't generate any
additional public comment. I doubt there is since
there wasn't anybody there, but I think we still need
--

DR. BENSON: We can --

MS. NORRIS: -- to ask.

DR. BENSON: Do that. Now does anyone
want to speak in -- in favor? Is anyone -- having
heard this -- wish to speak in opposition? Anyone --

MS. HATCH: I --

DR. BENSON: -- just want to talk?

MS. HATCH: -- I am seeing no hands.

DR. BENSON: Thank you.

MS. HATCH: All right.

DR. BENSON: Thank you. Then we'll
move on to the next item on the agenda. Betsy, will
you read it in, please?

MS. HATCH: Sure. A moment. All
right. Our next item on the agenda is Application
2019-0676: 4353 Summit Bridge Road. (East side of
Summit Bridge Road, 2,500 feet north of Boyds Corner
Road.) (Tax parcel 13-007-00-078.) St. Georges
Hundred. This is Historic Overlay rezoning and
associated parking plan for an adaptive reuse of the
A. Eliason House, which is listed on the National Register of Historic Places, constructed circa 1856.
NC21 Zoning. Council District 12. And then the applicant's presenter is Wendy Stabler (ph). Wendy, are you there?

MS. STABLER: Yes, can you hear me?

MS. HATCH: We can.

MS. STABLER: Terrific. Good evening. I -- I, too, applaud the Historic Review Board members, Betsy, Colleen, for putting this together. Somewhat historic event -- we're not dinosaurs after all. So -- see how it goes. I'm -- I'm extremely appreciative of the opportunity to move this application forward. We have been in the works for some time. I have with me, hopefully, on -- on the line joining us -- although I understand they won't -- they won't be able to speak, but they are here. I wanted to introduce Carol Ohm who is with Apex Engineering. She's our civil engineer for the site. John Price with Patterson Price Land and Farm - he's an investor in Eliason House, LLC, along with his partner, Dave Baker (ph). Dave Baker's wife, Barbara Yeiser (ph), actually has a connection to the property. She -- she grew up on the property. So
it's a -- a labor of love as well as hopefully a --

hopefully soon to be a successful commercial
conversion to adaptive reuse.

The Board should have in hand the
Historic Report prepared by Kate Marcy (ph) of the
University of Delaware along with the exhibits
consisting of the colored rendering of the site plan,
(inaudible) board showing photos of the -- of the
house as well as some -- some photos of the site --
particularly perimeter. It is -- this hopefully will
be an easy one. It -- it's a prime candidate for a
historic zone overlay adaptive reuse. The property is
currently zoned NC21. It is located on Summit Bridge
Road across from the airport. It is surrounded by
other NC21 properties and the subdivision of the
Summit Pond. It is -- as you know -- on the 896, a
very well-traveled thoroughfare. It's a 1.64-acre
property. Surrounded on all sides with mature
screening to protect its residential neighbors. It is
also located within a -- a recharge area. It's in a
wellhead recharge area as well a Class A wellhead and
-- and recharge area. So (inaudible) coverage on the
site is limited to 20 percent. As of (inaudible),
we're trying very hard to respect that -- not only for
the environmental reasons, but obviously, the historic integrity of the site. We're trying to make as few changes as possible.

In fact, this is just a site plan which involves the proposed addition of parking in lieu of an existing pool and pool house that's there right now. We're proposing parking actually as the plan shows in two phases. It's our expectation that we would build only the first phase which would add an additional -- let's see, we've got 12 spaces to an existing three spaces on the site for a total of 15, which we believe will be more than adequate to accommodate anticipated needs. And we would construct phase two shown only if necessary and if the projections in the parking demand needs analysis proved to be incorrect.

So the property is a prime candidate for historic zone overlay for a number of reasons. It is, of course, on the National Register of Historic Places, but this also meets for other criteria, A, B, E, K, and L, cultural (inaudible) and cultural past, the architecture yields info as to pre-history as well as associated with the life of important person. It -- the house was built in 1856. I won't go into too
much detail, but it -- it's all in your historic
report, which hopefully, you've had a chance to breeze
through.

    It (inaudible) constructed in 1856,
three-story, five-day brick dwelling. Greek revival
style with some Italian (inaudible) influence. It's
approximately 6,500 square feet. It also has a number
of garages and a pool house which are not contributing
factors. They were constructed later. The main
house, however, is -- is really -- it's just a gem.
It was built by Andrew Eliason, who was a wealthy
(inaudible) in the St. Georges area and a member of
the Delaware House of Representatives. In -- in
around 1880 when he was -- when the property was in
its heyday, the farm complex consisted of 235 acres
and it really was an example -- a prime example of the
sort of showy agricultural prominence of -- of the
folks of its time. It was a great symbol of the
strength of agriculture in this part of New Castle
County. And the folks that had these farms, including
Mr. Eliason, really liked to demonstrate their success
by -- by investing in -- in homes of its kind. So
it's -- it's really a -- a terrific example of that
and as mentioned, Dave Baker, who's a principal of
this project, and his wife actually grew up on this property.

So back to the site plan. As I mentioned, there is really very, very limited proposed additions. There's absolutely no changes to the exterior of the dwelling. There is substantial investment proposed to the interior and -- and some site improvements as mentioned by way of parking. The property was acquired -- it was -- actually had to be acquired from a bank because it was -- it was foreclosed on and -- and had squatters in it for a period of time, so the interior is -- needless to say, it's substantial need of loving care and investment, which is my client is most interested in -- in giving and -- and has already started several $100,000.00 in renovation including flooring, restoration of the woodwork, painting, windows and doors -- adding an ADA ramp to the back, installation of an elevator, as well as the additional parking as mentioned. No -- no proposed changes to the exterior. Only additional parking is necessary, 12 additional spaces. So we add the additional parking only if required to address parking demand.

We did have the opportunity before
COVID changed our lives, to actually meet with the community on January 30. There was a meeting held there in which members of the association and -- and the neighborhood participated. We were joined by Councilman Bill Bell, Representative Hensley, and Senator Stephanie Hansen. We found them to be generally very, very supportive and we are excited to move this application through the process. Hopefully, the Board will find this an easy one to endorse, but in doing so, we would also ask the Board to please consider making some affirmative recommendations that would cover some -- some applications that we have. In particular, it's mentioned the -- the property is 1.62 acres -- 1.64 acres. As -- as you all may recall, the UDC requires the three acre minimum for historic zone overlay. So we'd ask you to endorse a Board of Adjustment Variance for the 1.64 acres. We believe that the site is extremely well-protected from our residential neighbors. We have no planned improvements that would in any way impact them. The access is on 896. It's just as I mentioned, a very, very special property which we believe well qualifies it notwithstanding the fact that the site acreage is slightly under the -- what's -- what's required.
Also we're looking for an endorsement of -- a -- a request that we limit any changes to the entrance. We do -- absolutely don't think it's necessary to accommodate the type of vehicles. We're thinking that this will likely be a real estate office, an attorney's office, some very low-density commercial office. As the Board knows, it is not a retail establishment and the types of delivery trucks would be the same types of Amazon trucks that would come into the residential neighborhood. So we'd very much like to leave the access the way it is. Also this would prevent any adverse impacts on the -- on the recharge and the wellhead recharge in which it's located. DelDOT has already indicated that we won't have to put sidewalks out front. Thank goodness, it would be in keeping with the area. There's not a lot of pedestrians along 896, but we would hope that the Board could endorse and support our request of -- of DelDOT not to require a -- a widening of the driveway to make unnecessary site changes which might also involve potential loss of mature trees along the frontage.

As mentioned and -- and Betsy included in the package -- I can through it if you'd like, but
here just gives you a better sense of the site features. As mentioned, very, very limited disruption -- disturbance. Only in the area where the existing pool is to add -- add parking. We will maintain as -- you know -- with -- with really no impact on landscaping and screening -- all of the exterior protections that are currently in existence on the property. So this is an opportunity to convert this gem to an adaptive reuse to hopefully provide some revenues to continue the upkeep that is necessary on these old homes. We -- we think -- we -- we qualify for all of the reasons and the five criteria mentioned and I'm happy to respond to any questions that the Board might have or answer specific questions.

DR. BENSON: Thank you, Wendy. Are there questions? I see Barbara Silber.

MS. HATCH: Yep. Chairwoman Benson, yeah, Barbara Silber is raising her hand.

MS. SILBER: Hi. Barbara Silber. Thank you so much. I think it's a excellent idea to reuse this property and I'm glad that this property is -- is going to have a -- another life. One of the things I did -- would like to bring up is that in your -- in the historic report, I noticed that there is a
statement that says that the property is recognized as having an archaeological potential and also this area in general, I know across the street there have been some archaeological resources identified. You mentioned that you're not going to do much on the -- on the exterior other than parking as needed. Am I correct in understanding that?

MS. STABLER: Yeah, so we are proposing to add some parking which is 15 spaces, but it still leaves us eight spaces short under the unified development code because we only have three spaces that qualify currently. So we propose to add 12 and what's shown on the other plan -- (inaudible) the -- the first phase, which still leaves us eight spaces short based on the approximately 6,500 square foot structure and the 3.5 parking spaces per 1,000.

MS. SILBER: Okay. Well, how about -- are -- are there any landscape -- landscaping that -- major landscaping improvements or anything else that may -- may occur, not necessarily from this phase, but perhaps down the road. The -- you know -- I know it's hard to anticipate what is going to happen, but in general -- you know -- I'm -- I'm thinking -- is -- is where I'm going with this is that it is recognized
that the property is -- is -- is historic, it's recognized that it also has an archaeological potential, and I'd like to express that in the future when things are -- you know -- improvements may be entertained in the outside within the property bounds, I'd like to -- to see that there's a proactive effort to acknowledge that the potential for archaeological resources does exist on the property. I think this is one of the -- the -- the benefits of this property is that it is as you -- as everybody has mentioned -- it is in very good condition, both the structural components as well as the -- the land -- the land that upon which it sits and I think that is important to -- to understand that -- that while things may not necessarily change, that those things need to be taken into consideration during external improvements or anything just to maintain the historic integrity of the property as a whole. And that -- that's all I have to say. So, but I do commend you on excellent -- you know -- plan for adaptable reuse of this property.

DR. BENSON: Could I follow up, please, on Barbara Silber's comments because -- am I correct that there will be one change -- the swimming pool will disappear and the parking lot will go in there?
MS. STABLER: Correct.

DR. BENSON: Would there be an opportunity there, Barbara, just for at least a -- a looksee at the land.

MS. SILBER: Well, I think the -- the -- the thing is -- my understanding is that the pool is going to go away. That -- that giant (inaudible) will be filled and the parking lot will be placed on top of that; is that my understanding of what is going to happen?

MS. STABLER: Generally, yes.

MS. SILBER: Okay. Well, the good news is is that the pool -- is -- my guess is a six- to eight-foot-deep pool perhaps. I mean -- the good news is that if there was anything there, that has since been removed by -- during the excavation to construct the pool. I would think that it would not be a bad idea that while that pool is being ripped out to have some level of monitoring -- that would be a good idea, but my guess is that it's probably pretty clean by now at that point or totally disturbed, but if nothing else, while the pool is being dismantled and removed, it would be a good idea to get a -- an observation or monitoring effort just to see what the subsurface --
the subsurface profile of the property is. I think
that will go a long way for future as -- as that will
give you a little bit of a window into what -- what
you're looking at below surface. So yeah, that --
that is not a bad idea. A couple photographs -- I
think you -- you know -- it -- it will give -- give
you a head start for the future. Does that -- does
that make sense?

MS. STABLER: Yeah, obviously, the
excavation for -- in the area where the pool is we're
going to be filling and the area around it, there will
be very, very minor excavation --

MS. SILBER: Right.

MS. STABLER: -- associated with
putting the asphalt in.

MS. SILBER: Exactly. But I think
that's a -- it's a good time to -- it's a good
opportunity -- because you have that window open -- to
take a few photographs, so in the future if there is
any need, there is already a -- sort of a -- you got a
little bit of a head start on any background research
that might be needed later on down the road. You know
-- you -- yeah, so --

UNKNOWN: (Inaudible).
MS. HATCH: Chairwoman Benson, I just wanted to mention that Karen Anderson, Mr. Patel, and John Brook have their hands raised.

MS. BENSON: Well, then let's start in order. Karen?

MS. ANDERSON: Yes. Okay. Yes, I would like to just piggyback on what Barbara said. I -- I do recommend a kind of subsurface profile be done when the pool is being disassembled. You'll have -- it will be very easy to -- to do something like that with photographic documentation and -- and maybe even taking a -- a -- some type of soil profile and -- and then keeping that information for -- just for historic purposes. The other item that I wanted to get a little bit of clarification on was the widening of the driveway. I think there was a statement that this is required by DelDOT, but there were some tree -- trees adjacent to it that might be impacted by that. Was that correct?

MS. STABLER: Yeah. So there are trees are both sides of the driveway, depending upon how -- for what width any widening would be required. We certainly would want to do everything we can to -- to avoid that, so there's both the potential impact on
mature trees as well as the addition of the pervious coverage in a recharge area, neither of which is sound, neither of which should be required in -- in our view in order to accommodate the (inaudible).

MS. ANDERSON: So I guess -- my -- the -- the reason for that is will firetrucks be able to access this because now as -- as it's rezoned and it becomes commercial, its access for the firetrucks coming in -- is -- is this width going to be adequate in case that is needed? That's what I was --

MS. STABLER: So -- so --

MS. ANDERSON: -- looking (cross talk)

MS. STABLER: -- so we did, in fact, have a representative from the fire marshal's office out to the site and they did not indicate any site improvements or improvements to the home would be required, so my assumption is that there is adequate access for emergency vehicles, if and when necessary, and of course, it's a -- there's a shoulder out there on -- on 896 as well. Yeah, and (inaudible) --

MS. ANDERSON: Okay.

MS. STABLER: -- I -- I just got a reaffirmation from my engineer by text that John Rudd
had no issue with the access for firetrucks. She's confirming that which I would have recalled.

MS. ANDERSON: Okay. And I think that you had mentioned that -- did -- did you state that the owner has already undertaken renovations for the interior windows as well as addition of a handicap access to the rear?

MS. STABLER: Yeah, so I -- I -- candidly, I'm not sure what the status of interior improvements are other than they are unde-, underway and as a client would -- would say, "I got my neck out here a little bit on this one." Just trying to move forward because the application has been a bit -- bit delayed, but the work has been ongoing. I do not know candidly what -- what stage the work is and what has been done and what has yet to be done.

MS. ANDERSON: Okay. I guess I'm just a little curious about that because it's a historic structure, yet they're doing interior work on it.

MS. STABLER: Yeah, so as -- as -- as you may be aware, even so and of course, they're, they're going to be very respectful of the interior, but -- but there are no -- you know -- other than exterior -- and of course, it isn't nominated, but as
the Board's aware, the -- you know -- the -- to be -- and -- and that's the benefit of the historic zone overlay because in the absence of that -- I mean -- there is no architectural protections notwithstanding that it is on the National Register and with the historic zone overlay, this Board then is given oversight -- strict oversight of anything that happens on the exterior. The interior, of course, is not -- is not within the Board's jurisdiction, but we are -- you know -- doing everything we can to -- to -- to keep the interior as -- you know -- keep its integrity.

MS. ANDERSON: Okay. That's -- that's all of my questions. Thank you.

DR. BENSON: Then on to Perry Patel.

MR. PATEL: Yes, very first and foremost, I think you're doing a good job. I think it's a good project. (Inaudible) I have a -- I wanted to ask to see if you have a specific language that you are looking from the Board in terms of the minimum (inaudible) in terms of the endorsement and then in terms of the DelDOT sidewalk issues -- if you'd give us specific language at the next business meeting. And I just had one question was there's a pool house
of approximately 462 square foot. Is that going to be left like a shed or what's going to be the use of it?

    MS. STABLER: Yeah, so it -- it -- it -- there's no proposed -- and I -- I don't think it's proposed to be demolished currently. It's -- it's there on site. So that's the -- that's the garage there --

    MR. PATEL: Yeah.

    MS. STABLER: -- the pool house. I'm not sure if we have a picture of that or not. Yeah --

    MR. PATEL: (Inaudible).

    MS. STABLER: That's the -- that's the dog shed. I don't think that's it. Hold on. Picture -- thank -- thank goodness for texts. Picture 10, Betsy.

    MS. HATCH: Okay. One more.

    MS. STABLER: Yeah, you can -- you can see it in there.

    MS. HATCH: A little bit.

    MS. STABLER: Yeah. You can see it there in the background.

    MR. PATEL: Uh-huh.

    DR. BENSON: Perry, are you done?

    MR. PATEL: Yeah, I'm done.
DR. BENSON: Okay. John?

MR. BROOK: Yes. Ms. Stabler, I think the Board really appreciates every time that the Center for Historic Architecture and Design is engaged to help with a project because they do such a good job presenting the materials. I have a couple of -- a couple of questions that I'd like to direct your way. One is -- one is probably fairly easy. One of the features I -- I think is attractive to the outside of this residence is the brick driveway. I presume that you're going to retain the brick driveway and if you have to widen the driveway, will you replace what you have to widen by with brick?

MS. STABLER: Yes, correct. We do -- we do intend on retaining that in its --

MR. BROOK: Okay. My -- my second question is maybe perhaps more problematic. The plan calls for an 8 -- 4 by 8 foot sign. Signs have a way of changing the ambiance of a historic structure and I didn't see anything to indicate what this sign would look like. Do we know what it's going to -- anything more about it other than it's 4 by 8 feet?

MS. STABLER: Right. So that's an excellent point. Right now, we -- we don't have a
specific plan for the sign, so another feature and
benefit to the historic zone overlay is that you will
have another -- you will have a look at that --

MR. BROOK:  (Inaudible) --

MS. STABLER:  -- before we -- we
install it.

MR. BROOK:  Good. Thank you.

MS. STABLER:  And certainly -- it's
certainly agreed and understand that signage is
important.

MR. BROOK:  I'm done.

DR. BENSON:  Okay. I just want to
follow up on that. Are you saying only one sign?

MS. STABLER:  Correct.

DR. BENSON:  Okay.

MS. STABLER:  Now I might be two -- I --
-- I suspect it will be -- you know -- two-face, but
correct, it will be one -- one --

DR. BENSON:  Yes.

MS. STABLER:  -- (inaudible). Yeah.

DR. BENSON:  But just one --

MS. STABLER:  And -- and -- and -- and
there may well be something on -- on the structure as
well as the ground sign, but I -- I don't know that
(inaudible) right now, it's just we're planning on a ground sign and, of course, we know that would come back through this Board for approval.

DR. BENSON: Okay. Are you seeing anyone else?


DR. BENSON: All right. We ask --

UNKNOWN: (Inaudible).

DR. BENSON: -- thank you for the presentation. Let me ask if there's --

MS. STABLER: (Inaudible).

DR. BENSON: -- anyone in the audience who wishes to speak in favor of the project?

MS. HATCH: All right. Let's see here. Let me -- we have two so far. The first County Councilman Bill Bell is here to speak in favor, so I will allow him to talk.

DR. BENSON: Thank you, Councilman Bell. Please proceed.

MR. BELL: All right. Thank you very much, Madam Chair. Bill Bell, New Castle County Councilman for the 12th District. I want to begin by
thanking each and every one of you on the Board for
the outstanding commitment and job you do, especially
during these very difficult and challenging times --
uncertain times. I appreciate the opportunity to
speak before the Board and commend you for continuing
your business with the virtual process. As Wendy had
said, I just wanted to make comment as the district
councilperson that I appreciate and compliment the
applicant as well as their legal counsel in working
closely with our office and making a formal
presentation before the adjacent community's annual
meeting -- Summit Pond. The presentation was very
detailed as -- as -- as it is being before the -- the
Historic Review Board this evening and was received
quite well. In addition, I did take the opportunity
of invitation to take a tour of the historic property
and I believe that it -- its characteristics and
everything truly fits the -- the process of -- of a
historic overlay protecting its historical value --
significant historical value to New Castle County.
And I -- I would just ask the -- the Board for its
consideration moving forward with the historic overlay
and once again compliment the applicant for its hard
work.
DR. BENSON: Thank you, Councilman.

Betsy, the next person who wanted to speak in favor?

MS. HATCH: All right. All right.

County Councilwoman Dee Durham is also in favor -- let me unmute. I am trying -- oh, are you there?

MS. DURHAM: I -- thank you. I just wanted to commend Wendy and the property owners for undertaking the step of the H zoning for this property. What a beautiful historic property it is and it's great to see a property like this find a -- a new way to find a new life. And I -- I also just wanted to mention -- Betsy, you probably know more about this than I do, but the point Wendy made earlier about the parking limitations. Betsy and the Land Use Department have been working with us on -- and Wendy, I've -- I've talked with Wendy about this as well in general terms, but specific to the parking, we are working on an ordinance that will address a whole bunch of different things regarding historic properties in the county code and one of those things regarding adaptive reuse would allow adaptive reuse properties to -- I think -- have a 20 percent reduction in required parking. So I just wanted to mention that. I think obviously, this project is
maybe a little ahead of the curve of -- since that ordinance hasn't been introduced yet, but it's something to bear in mind as this project moves along for its approvals, that we do hope to have those parking restrictions eased in general for historic adaptive reuse projects.

DR. BENSON: Thank you. Thank you. That's good to know. More in favor, Betsy?

MS. HATCH: All right. Let me see here. I think that was -- that's all that I am seeing -- raised hands.

DR. BENSON: Thank you, Councilman Bell and Councilwoman Durham. Now does anyone want to speak in opposition to the proposal?

MS. HATCH: All right. We do have one hand in opposition. Let me unmute. All right. Are you there?

MR. REYNOLDS: Yes, can you hear me?

MS. HATCH: Yes. Could you state your name and address please?

MR. REYNOLDS: Yes, my name is Mark Reynolds (ph) and with my wife, Ashley (ph), we are at 904 Rock Lily Lane. It's the property that is adjacent to the southeast. So if you're looking at
the drawing of the property, we are at the right top side.

DR. BENSON: Uh-huh.

MR. REYNOLDS: So our -- our concerns are is this always going to be a low-density office and what prevents a high-density company from -- from coming in? Another issue that we have is that's where our property is adjacent, there really isn't very good coverage. To put it in a context, we can see clearly the back of the house and all the outer buildings, the garage, the pool house, the secondary garage, and the little shed. While there are trees there, the trees really don't have coverage on the bottom for -- I would say the bottom 10 to -- to 15 feet. So it -- you know -- that's -- that's a concern for the privacy of -- of our property. I can't speak for the other property owners -- what they have there, but I know that we have clear view of everything that goes on -- you know -- there and then they would be able -- any customers or -- or workers there would be able to see in our back yard. For clarification, it is our understanding that the pool has already been removed, so I don't know what the plans are for that. But the big concern is is where the parking lot is going to
connect to the existing driveway, any cars that are coming out there with their lights on will essentially shine their lights into our property and into the back of our house. So are there any plans on putting up some sort of screening to prevent that from happening? Are there any plans so that the integrity of our property and our privacy stays? And I -- I think that's everything --

DR. BENSON: That's -- that's your question?

MR. REYNOLDS: Yes.

MS. HATCH: Chairwoman Benson --

DR. BENSON: Yes.

MS. HATCH: -- as the Land Use staff, I am able to speak to the -- the code. There is required screening in the unified development code, so the applicant will be required to -- to provide a landscaping plan and buffer against adjacent residential properties.

DR. BENSON: Thank you.

MS. HATCH: Yeah, and -- and during the applicant's rebuttal period, they might be able to speak a little more in detail to the -- the plans for that.
DR. BENSON: Okay. But that will come back to us; is that correct?

MS. HATCH: The -- the plan, the landscape plan -- if the Board is requesting it to come back, then yes --

DR. BENSON: Yes.

MS. HATCH: -- it will --

DR. BENSON: Yes. All right. It is -- are there any other people to speak with concerns about the project?

MS. HATCH: I'm not seeing any -- any other hands in opposition. So, Chairwoman Benson, if you would like to give the applicant their rebuttal period --

DR. BENSON: Yes.

MS. HATCH: Okay.

DR. BENSON: (Inaudible) ready? We're ready for that?

MS. HATCH: Let me allow -- I believe -- Wendy, are you there?

MS. STABLER: Yes, I'm -- I'm here.

Thank you. And thank -- thank you for the opportunity to respond. So and I -- I wanted to invite Mr. Mark and Ashley to please feel free to reach out to me
directly as a representative of the applicant to -- to
discuss these -- these issues, but I'll try to address
their concerns as best I can now. So obviously, the
property is currently -- it -- it is residential.
There is an existing driveway, there is a number of
out structures including garages in the area -- in the
proximity to the back. There is adjusting screening.
Betsy, I don't know if you're able to show that one
picture that shows that portion of the property to the
rear. It is in -- in my view pretty well screened,
but I can certainly understand from the other side,
they -- that -- I think you just flipped it. Go back,
yeah. No -- I think -- go -- go -- flip forward one.
Yeah, so this is the area to -- to the back. Right
there you can see -- I believe -- where the tree and
the -- the shed are there, that is -- as I understand
it the -- the perimeter of the property. (Inaudible)
certainly could add some -- some -- some lower trees,
but -- or lower bushes and -- and we can reach out to
-- to -- to the neighbors with -- with respect to that
issue. Having said that, there is an existing drive
with the garages, et cetera. So the impact is -- is
already there. We're not adding anything but an
interconnection to -- to some additional parking. As
mentioned, there -- there -- there is indeed screening. There could be some additional screening added, so we'll -- you know -- we're open -- open to that as long as it's -- it's reasonable. I think our neighbors should get some comfort in knowing that -- you know -- this historic structure -- even though (inaudible) what will it be in the future, it cannot be retail, at least in -- in the -- the code as it currently exists. And the types of uses that are interested in locating in these types of historic homes are just -- historically, they are not high-density, they're not high-traffic. And so we're pretty confident and -- and -- and the community should take comfort that we're not proposing a lot of parking to accommodate it and that says -- sends the message that this is not intended to be a -- a place where there are a lot of employees -- where we're stuffing people in -- even pre-COVID-19, that wasn't the plan. This is just not that type of use. Moreover -- you know -- it what you see on this plan is what you're going to get and that's the beauty of historic zone overlay because it really is protected and we're not going to take the house down, we're not going to build a -- a mansion that could be much
closer to -- to the homes in the surrounding area than
-- than is the case here. So there's really some
benefits because you know what you're getting and the
Historic Review Board will have jurisdiction over the
exterior of the building, the -- and other site
improvements going forward and that should -- should
give the community some real comfort because in the
absence of that, there wouldn't be that kind of
oversight and not architectural oversight as to what --
what could be here and not the buffers because it
would be a -- under the NC21 zoning with the same
uses, there's really no -- no requirement for any
screening. So those are my responses. As indicated,
we're still and -- and very much want to be a good
neighbor. You know -- my -- my clients are principles
of an organization of business that is well-vested and
invested in this community and they're doing this
because they -- they love the property, wanted -- want
to be responsible about it and so I'm confident that
we will -- you know -- continue to have constructive
communications and -- and be a good neighbor. So I
look forward to connecting directly with Mark and
Ashley.

DR. BENSON: Thank you. Anything else,
Betsy, on this one? I see you're scanning the skies.

MS. HATCH: Mr. Brook and Ms. Anderson have both raised their hands.

DR. BENSON: Okay. John?

MR. BROOK: Yes, John Brook. Ms. --

Ms. Stabler, one of the concerns that was expressed was about headlights at night coming into the back of the neighbor's property. Do you foresee the use of this building having much nighttime activity?

MS. STABLER: Absolutely not, but I -- I don't want to disingenuous because of course -- you know -- and -- and sun goes down in the wintertime at 4:00 or 5:00, so there -- there will be some impact, but there is not anticipated to be any -- you know -- material night use of this property. It's a -- it's a 9:00 to 5:00 type operation. That doesn't mean there won't be occasional and that does mean in the wintertime, there would be -- you know -- cars going in and out, but it's -- it's not -- there -- not significant.

MR. BROOK: Thank you.

DR. BENSON: Karen?

MS. ANDERSON: Yes, I -- I just wanted to note that on the drawing there were photos taken
from the rear and just looking at the site plan, so that we're all oriented in the same way, to the left is north and to the right is south. The photos are from the -- I believe -- east which is that rear yard area. The area that the -- that Mr. and Mrs. Reynolds were referencing is to the south and along that -- and that's the -- along the right side of the property which I -- I'm not sure -- you know -- how detailed this landscaping plan is, but it does look sparse there. And I believe that is the area that is adjacent to the Reynolds' property that there is a little bit of concern about. And it -- just looking at it as how far as how it's been shown -- although I understand this is not a -- a submitted landscape plan --

UNKNOWN FEMALE: (Inaudible).

MS. ANDERSON: -- it does look a lot less protected along that side.

DR. BENSON: Yes, and -- and -- and am I not right, Betsy, that that's where the department will be looking?

MS. HATCH: Bear with my me.

DR. BENSON: (Cross talk) --

MS. HATCH: My internet connection has
been going in and out for just the past minute. You were discussing the -- the property line that when looking at the screen, is located on the right side?

DR. BENSON: Upper right, yes.

MS. HATCH: Yeah, all -- the property is surrounded by residential zoning --

DR. BENSON: Yes.

MS. HATCH: -- so automatically, there will be so requiring buffering.

DR. BENSON: Thank you. Anything else?

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

DR. BENSON: Thank you. I'd like to thank the applicant and we'll have our meeting in a couple of weeks --

MS. STABLER: Thank you.

DR. BENSON: -- I hope. All right.

Would you read in the next application?

MS. HATCH: All right. All right.

Bear with me while I switch gears. One moment. Our next application is Application 20-- 2020-0127-S: 305 -- 3015 Duncan Road. This is located on the north side of Duncan Road, east of McKennans Church Road.) (Tax Parcel 08-032.10-130.) Mill Creek Hundred. This
is Minor Subdivision Plan of a 2.88- -- 88-acre parcel containing a historic dwelling constructed 1870 and stone ruins into four lots. NC6.5 Zoning. Council District 9. And then let me (inaudible) Bill Rhodunda (ph) is going to be representing the applicant this evening. Bill, are you there? I see -- I see he's muted. I'm trying to unmute him.

MR. RHODUNDA: (Inaudible) unmute me there.

MS. HATCH: Okay. Now we can hear you.

MR. RHODUNDA: Okay. Excellent.

DR. BENSON: Please proceed.

MR. RHODUNDA: Good evening, members of the Board. I'm here on behalf of the property owners at 1315 Duncan Road. The owners are Kathleen and Mark Thone(ph). They purchased the property back in 2014. As you can see from the photographs that we provided, have done a really nice job of maintaining this property. They first contacted me months ago. I went out to the property, viewed the property, and I explained to them what their options are for subdividing this 2.8-acre parcel into four parcels. I explained that it had a variety of options including -- you know -- potentially the demolition permit of
some of the -- some of the structures on the property, but they made it very clear what they wanted to do was to -- you know -- keep the structures that are on the property and therefore they did not file a demolition permit. What they're seeking to do is to carefully subdivide this property into four lots. As mentioned, the zoning is NC.6 -- NC6.5, which is 6500 square foot minimum lots. These lots would -- that are being proposed range from 15,000 square feet, which is more than twice the size, to 42,000 square feet which is much, much larger than the minimum requirement is. So these four lots are -- would be considered quite large lots. In terms of the buildings -- in reviewing the buildings, I would call them interesting. I'm not sure that they meet -- I don't believe they meet the standards for historical structures, but I think they do meet the standard of being interesting. They were in the Yearsley family and I think Betsy has probably distributed information on the Mill Creek Hundred history blog that outline the history of the property and the Yearsley family that lived on the property. That article indicates that it wasn't a high-profile family, but nevertheless, they're a family that had this property -- you know -- for many years.
So what I'd like to do is take a look at the front of the property for a moment. Betsy, if you could turn to the Duncan Road view of the property -- the photograph.

MS. HATCH: Bear with me. We're working through the PowerPoint.

MR. RHODUNDA: (Inaudible) for Duncan Road. Maybe you need to flip to that first slide again. And we have some (inaudible) -- some other photos that we'll submit to the Board to show the view from Duncan Road because I think it's a real interesting view. If we could go to the overhead shot that shows the -- there we go. So if you're standing on Duncan Road and you're looking at this property -- 2.8-acre property, it -- what the clients want to do is preserve that appearance and I think what this plan does is preserve that appearance. The house is somewhat visible from Duncan Road, but it's also some nice landscaping along that whole frontage on Duncan Road. The other thing you see from Duncan Road is the barn structure that you saw, which I think is very cool and my clients want to maintain that barn structure because it has a very nice appearance to it. And my concern about that barn structure is the
potential safety issues of it crumbling further because it's quite tall, but nevertheless, the -- the -- the goal here is essentially when people are traveling down Duncan Road is that they will not see -- essentially they're not going to see the three homes that are proposed on the proposed lots because as you can tell from the site plan, there's a new home proposed in the back left-hand corner, in the back right-hand corner, and then behind the barn structure. So essentially, view from Duncan Road is maintained. In fact, looking at our site plan which is now showing on the screen, you can see that essentially the development of this lot is in the back half of the lot and then these structures are being maintained -- that exist on the site now -- we'll go through those structures in a moment, but looking at the site plan you'll see on the left-hand side the home. It does date back to 1870, but as I mentioned earlier, it doesn't really fit the historical criteria because of multiple additions over the years and the changes to the windows, siding, and roofing. But nevertheless, it's a interesting structure, has a interesting front porch, and the client's not proposed any changes to the, to that structure. And then if you go further
behind that structure, to the left you'll see one proposed lot, if you go to the right, you'll see one proposed lot in the back corner, and then one proposed lot behind the barn remnants that abut Duncan Road. Betsy, if you could slide to the next slide, please. Or actually go to the first picture slide. Great. That -- that's the first one. Thank you.

So as the house is a very interesting house certainly. The first picture you have here -- also the front of the house that you see. I believe that faces Duncan Road and nothing is going to change there. My client is a landscape -- landscaper, so he loves landscaping, he loves trees, he's trying to make sure the property stays professionally landscaped at all times. I will forward to you the photographs from Duncan Road because there's a lot of nice landscaping that abuts Duncan Road and I'd like you to -- I want to make sure you have all that -- all - make sure you have it so you can see how nice it looks across the front of the property. And really, almost all the buildings are shielded pretty nice behind that landscaped green. But if we could go to the next slide. Okay. The next slide is the side of the house. Again, it's the porch that wraps around, so
the front of the house -- there is an addition on the
left-hand side of that photograph. You have new
roofing, new windows there, but the property has been
nicely maintained by my clients and they spent a
substantial amount of money doing that work. The next
photograph is the other side of the house which has a
significant addition as well with -- like a sunroom
and greenhouse were built on that side of the house.
And then the next photograph is the other side of the
house.

My client took all these photographs,
took a picture of the four sides of the four
structures that are on the property. There's a fifth
structure, but it's a newer structure, but the four
structures that date back some time. And the next
structure is a workshop and you'll see four picture of
the workshop. It does have some stone aspects to
that. And there's some evidence that at one point
someone in the family was a blacksmith and perhaps
this may have been part of that and we're not really
sure. That's the workshop. The next building is the
-- it was some sort of barn or something. It's turned
into a carport at some point over the years. You can
see from the other photographs, it probably was an
enclosed barn or workshop at some point.

So this next -- the next slides are what -- I think what I consider a really nice -- very nice visual from Duncan Road because you can see this -- you can see the front of this from Duncan Road. There is some landscaping in front of it, so it's not -- it's partially concealed, but it's certainly a very nice appearance. And the intent is not to -- is to maintain this -- as long as it's safe, the client wants to maintain this. He has -- he and his wife have four children on the property, so he certainly wants to make sure it's safe because they -- they've lived there since 2014 and have no intention of moving from the property, but certainly these barn remnants are -- are interesting. They deeply appreciate them, they want to keep them, and intend to keep them.

So essentially before the Board for consideration is a site plan and the pictures of these buildings that I've shown you -- none of which are going to be demolished -- they're all going to be maintained. It's a 2.8-acre parcel. Only 24 percent of the property is going to be disturbed out of the 2.8 acres. So that 24 percent is essentially the driveway to come in. It's also for the homes that are
being proposed on the property. It's a little bit hard to tell on a small plan. You probably need to see a bigger plan where we can outline for you the areas not to be disturbed and you can see lines that wiggle all the way around the buildings and some of the trees that are specimen trees to protect them from any -- any damage. So essentially you're looking at a property where only 24 percent is going to be disturbed which is quite minimal. And if you follow the lines of limits of disturbance, you can see how it's protecting everything on the front of the property and as you go back, it just basically creates an avenue to access the -- access the four lots. It's sort of interesting the way the new homes would be blended into the existing structures that will not be demolished here.

So I think it's a very ambitious plan. I think it's -- in -- in a way that -- trying to maintain all this rather than just going the easy way out, which would be just to get a demo permit and have a clean slate. You know -- it's never been their intent. Their intent has been, "Let's keep these buildings here, let's keep the front protected." I've discussed this matter with the Thones on numerous
occasions and one thing that they asked me to convey -- which we will do in our next plan -- which I think just further improves this plan -- is that if you're looking at the site plan that's on the screen right now, the access to the current house is on the left-hand side of the property. There's another access which is a dark gray going to the house behind the barn remnants. The Thones have basically said, "Let's just remove that entranceway completely so that they don't need to disturb any of the landscaping along Duncan Road." And then essentially people would be going to the proposed home behind the barn structure -- they would come in the existing entranceway and just swing around to get to their home rather than having a direct access to Duncan Road. So by -- so essentially that dark gray area that's on the plan that shows as a driveway and access way, all of that would be removed and that area -- at least the part closest to Duncan Road would certainly not be disturbed. You may need to do something in the back near the house for the -- for the driveway, but essentially that access would be removed and that would allow for that -- that would allow for the vegetation to stay in place because it's a very nicely landscaped throughout the entire
property, particularly the front, and none of that would be disturbed. So essentially the concept here is maintain things the way they are, work around them with three new lots that far exceed the zoning requirements. This plan also requires no variances to be approved. So the idea was to stick within the code and blend this together into a project that maintains the integrity of this -- this -- these homes.

We have done a title search on the property. There is -- there's no restrictions against developing it. You know -- our research there was one -- only one restriction came about and that was -- I think it was put in in the -- I think it's the '50s where they said no -- it could not be used to sell alcohol. I guess the idea potentially might be that -- that the existing home could have been turned into some sort of pub or something (inaudible). That was the only restriction we found on there. So that's our presentation as we just wanted to bring this forward and -- and I'm happy that my clients are working with what's on the property and what people can see today we'll be able to see the in the future because nothing is going to change.

DR. BENSON: Thank you. Thank you very
much. Before we go further, maybe it's just me, but I do find it difficult to see quite how the access roads go to the various houses. It would be very useful on another plan if they could be highlighted better.

MR. RHODUNDA: Right. I can do that for you because in eliminating the -- that other driveway, we will submit to you for your review how they would be accessed by eliminating that second entranceway. We'll make that more clear.

DR. BENSON: Great. Thank you very much. Now are there any -- are there questions from the Board?

MS. HATCH: All right. Yes, Mr. Brook, Ms. Silber, and Ms. Anderson have their hands raised.

DR. BENSON: All right. Mr. Brook?

MR. BROOK: Madam Chair, you stole some of my thunder. I was at -- I had questions about the --

DR. BENSON: Sorry, John.

MR. BROOK: -- driveways as well. And I have to tell you, Mr. Rhodunda, I appreciate your clients wanting to preserve the properties that are on -- that are on this -- this piece of lane, but I really have a lot of difficulty trying to figure out
where these lot lines are. When you -- when you do something to show the driveways, I would appreciate it -- being able to see what your proposed lot lines are going to be.

MR. RHODUNDA: I noted that. We'll make sure we do that on the next plan.

MR. BROOK: Thank you.

DR. BENSON: Barbara?

MS. SILBER: Hi, Barbara Silber. This is kind of a complex property for various reasons. You mentioned that while the buildings are all extant and the -- the stone remains are all extant, but you mentioned that not necessarily that they are interesting. However, I -- I would argue that the opposite. In many ways, this property has a long history of occupation and also the property itself -- you know -- has -- had a history of -- of being a -- a -- a craftsman's workshop area -- a blacksmith for example is one -- one example of -- of the historic use of this property. What I think about this property as well, the stone ruins are extant and definitely do warrant documentation, I think that the property has a -- a historic context and most importantly, the occupational and functional usage of
this property is of interest. One of the things is is that while they are, the ruins are extant, they also have -- that means that the archaeological integrity is probably also very good with these -- these buildings and while we have several buildings that the functional usage and purposes of those buildings are somewhat vague, I think the archaeological examination or even -- you know -- historical analysis of these buildings will be able to shed much insight on -- on what this property was used for, who lived there, and -- and the -- the various occupations that were performed on this property. So I -- I would think that in this case -- you know -- a historical and cultural resource analysis is definitely warranted prior to the -- you know -- physical division as well as any future construction on this property because I think that will be the one shot to get any information about how this piece of property was used and how the -- the occupants and owners of this property -- their roles within that community that -- of -- of the Duncan Road area. I -- you know -- Duncan Road has a lot of historic buildings and various properties have been identified on historic mapping for various purposes. I think there's a wheelwright shop, that
there's a store in one place, and this one is actually literally labeled as a blacksmith shop on the historic mapping and I think that is -- you know -- those types of analyses and historic studies shed a lot of insight on the -- the historic context of -- of a geographical region and how community development operated. And I think in this case, this is one property that does warrant some careful analysis both of -- of the above ground as well as potential below ground resources that this -- this actual plot of land may contain. And I think that needs to be taken into consideration in any -- any future development or activity on this particular parcel. And I think that's -- that's -- that's all I have to say. I know that right now things are very premature, but I do notice that at a minimum, I think the cultural resource inventory record for this property probably warrants an update. I think the -- I think, Betsy, you gave us the -- the CRS form from the -- that's currently on file at the HPO, correct?

MS. HATCH: Yes.

MS. SILBER: And -- and that is at this point, the extent of any -- any documentary record --

MS. HATCH: Correct.
MS. SILBER: -- (inaudible) file. I think this is definitely warranted -- you know -- an assessment -- an analysis of the historic components of this property is warranted. And I would argue in this case that does include -- you know -- the -- and basically an assessment of the archaeological potential because any -- any archaeological remains will give insight on the actual uses of each of those outbuildings that still remain on the property.

DR. BENSON: Thank you. Karen?

MS. ANDERSON: Yes. My overall comment, based (inaudible) to Barbara's, I do believe that this property and the buildings are on it including the stone remnants definitely warrant additional cultural resource survey for this area and -- and (inaudible) here and have some documentation of what is there right now. I know that some photos were taken, but it would be nice to have some -- some kind of professional documentation of everything prior to the project getting underway. So that was one comment and then the other comment is in laying out the -- looking at the exploratory plan, I believe -- so there -- it looks like one, two, three, four lots are being carved out. However, on Lot 2, they're, they're using
the existing driveway to access the new Lot 3 and
according to the current presentation, there will be a
change to the layout so that that driveway will also
be the access point for Lot 4. However, that driveway
is almost 99 percent on Lot 2. So if I own Lot 2 and
I -- I decide to tear up that driveway and I don't
know -- do something else, then the people that are
owners of Lot 3 and 4 will not have access to their
property because of the way that it is laid out. So
I'm not -- I'm not sure (inaudible) -- you know --
what happens with that. Either that existing driveway
is going to have to be deeded over so that it becomes
a -- a public or a -- something that's not necessarily
owned by the person in Lot 2 and if that does happen,
the way that it is laid out, it bisects Lot 2. So now
part of my property will be on one of the side and
part of my property will be on the other side of the
road. I just see the -- there's some logistical
issues with the access into the property and the --
the ability for the other lots to have access
(inaudible). Thank you.

MR. RHODUNDA: No problem. And we will
-- we will -- I will address that when we send back
the plan with the revised access because we would have
to enter to cross-access easements to do that -- to have one access way, but in the end, I think it's worth it to have one access and preserve the Duncan Road view that we have right now with the really nice unique landscaping and the historic structures by not having that secondary access. So we will address that, however, in our follow-up plan to understand how we're going to be able to facilitate that.

DR. BENSON: Thank you. Are there any Board members who wish to ask questions?

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

DR. BENSON: Okay. Then to the public, is there anyone who wishes to speak in favor of this plan?

MS. HATCH: I'm seeing none.

DR. BENSON: Thank you. Do we have anyone who wishes to speak against the plan? We did get --

MR. BROOK: A letter.

DR. BENSON: -- a letter, yes. And I'm bringing it up right here. Betsy, do you want to go over that with everyone? I -- I believe her major concern are the ruins.

Let me pull it up here. Okay. The letter was from an adjacent property owner on behalf of -- on behalf of her mother who lives at 3017 Duncan Road. She was voicing some concerns, so she wrote: "To whom it may concern, I am a concerned neighbor who lives at 3017 Duncan Road, which is adjacent to the property under discussion. I have lived at this residence since 1976 when my father, Norman McAllister (ph), built this house. He was a contractor that purchased the original farmland from the Yearsley family and built the homes that now sit on Yearsley Drive and Yearsley Place. The historical structures that still sit on the property at 3015 Duncan Road have been here for over 150 years. I'm not certain that they will be demolished in this plan to divide the 2.88 acres into four lots, but it would appear that is the case. I do not believe these historical buildings should be destroyed merely for the purpose of selling the land and adding four more homes. These buildings are landmarks of the Mill Creek Hundred area and should be preserved. I hope you consider these remarks when making a decision on the matter." From Ellen Willard (ph).
DR. BENSON: Thank you. Mr. Rhodunda, do you -- do you want to answer that? I believe you have.

MR. RHONDUNDA: I think so and that we're not demolishing any of these structures and (inaudible) said that we're going to be maintaining I think will be a real benefit to the community. I also wanted to point out -- you can see in the overhead that there's already a lot of buffering along the exterior of the property and my client only intends to enhance that further, so he is a landscaper and he wants to keep it nicely landscaped as it is today. The thing I wanted to point out that you can see in the overhead map, that the areas where the proposed homes would go are generally open land, so there's not a lot of tree removal going on here and the levels of disturbance were designed in a way to avoid that.

DR. BENSON: Thank you. Is there anyone else, Betsy, who wishes to speak against the project?

MS. HATCH: Sorry about that. No.

DR. BENSON: Thank you.

MS. HATCH: Uh-huh.

DR. BENSON: All right. Then, thank
you. I think that completes this application. Thank you, Mr. Rhondunda. We look forward to see the new materials.

MR. RHONDUNDA: Thank you. We'll do that promptly. Thank you very much. Thank you, (inaudible).

DR. BENSON: All right. Final item on the agenda. Betsy, will you read it in, please?

MS. HATCH: Sure thing. All right.

The last item on the public hearing agency is Application 2020-0285: 3200 Mill Creek Road. Located on the south side of Mill Creek Road, approximately 0.46 miles east of the intersection with Stoney Batter Road.) (Tax Parcel 08-032.00.) Mill Creek Hundred. This is a demolition permit of a single-family dwelling constructed circa 1900. S Zoning. Council District 9. And then this is a county-owned property and we do have Bob Murrell (ph) on the line. Bear with me, I'm trying to get him speaking ability from the -- the Parks Office.

DR. BENSON: Yes.

MR. MURRELL: Good evening.

DR. BENSON: Good evening. Are you going to walk us through this?
MR. MURRELL: (Inaudible).

MS. HATCH: Are you there?

MR. MURRELL: Yes.

MS. HATCH: Okay.

MR. MURRELL: So my name is Bob Murrell. I (inaudible) in the Public Works Department and I maintain the lease for the 3200 Mill Creek Road property. And I just wanted to give you some background on why we're here this evening and why we're requesting a demo permit.

On March 14, 2019, at about 8:30 in the morning a house fire was reported to -- to be at 3200 Mill Creek Road. The house is owned by New Castle County. The fire resulted in the serious injury of a volunteer firefighter from the Minquas Fire Company in Newport as well as significant damage to our structure. The building is located again at 3200 Mill Creek Road outside of Wilmington, Delaware. It was building in 1910 according to New Castle County property records. It has approximately 2100 square feet of living space on two floors as well as a large attic and a small basement. The interior walls are masonry and wood (inaudible) for flooring. The interior walls are finished with plaster in the area -
- in the era it was built. The first floor consists of four main room, two either side of the central hallway and stairway. The second floor has four bedrooms. They are situated on each corner of the house and there's a bathroom in the center front of the house. The stairs continue from the second floor to a rather large attic area and basement stairs that -- that are located on the first floor.

At approximately -- so I had an opportunity and -- and it bears noting -- that the leasee of this house is a county employee and I've had an opportunity to interview him right after the fire was extinguished and this is what he was able to tell me. He and his wife were getting ready to go to work and they did some laundry and threw some towels in the dryer. There was a reason for that -- doing it early in the morning. They were leaving midday or in the early afternoon to attend and out of state funeral. So about a -- so at approximately 5:30 in the morning, the leasee had thrown these wet towels in the electric dryer located on the first floor. Just after about 8:30 in the morning, golfers from the Delcastle Golf Course called 911 to tell them there were flames coming from the roof of the Mill Creek Road house.
The -- the fire elevated to a two-alarm and was deemed under control several hours later. The fire marshal's office was contacted to do an investigation and their preliminary finding -- and it turned out to be their finding at the end of their report -- that the dryer had an electrical malfunction. We kind of thought it might have been from the -- the -- from the exhaust pipe, but now it was an electrical malfunction. So since the -- the building was severely damaged by fire, it was boarded up and deemed a hazard by New Castle County.

It should be noted that the reason that we're asking since you -- you realize it happened in March of 2019 -- the reason we had to wait a little while was there was issues with the Volunteer Fire Association and some of their procedures on putting out that fire and the fire marshal's office requested that we leave it so they could do some internal investigation and I personally went out a couple times with the fire marshals so they could conduct their thorough investigation. So that -- that's (inaudible) today. We have -- since this has been boarded up and -- and caution tape all around it, we've had several incidents of trespass and theft as well as a stolen
car parked behind it several months ago. So at this point, we've had it looked at, we can't -- we cannot financially (inaudible). We put out a request for proposal for a demo. We awarded it to a company by the name of (Inaudible) -- I'm sorry, BrightFields, Incorporated and they were awarded the -- the contract. And I believe that Josh Sobleman (ph) is with us today from BrightFields to -- to tell you what the demolition project is going to look like.

DR. BENSON: Thank you.

MR. MURRELL: Betsy, I don't know what number Josh is on, so I can't help you with that.

MS. HATCH: Okay. I am not seeing his name, so I can assume that he is (inaudible) the other person (cross talk) --

MR. MURRELL: The only other -- the only other person on the call with me would be Paul Frieze (ph) from our Public Works Office.

MS. HATCH: Okay. Okay. I just unmuted the other line.

MR. MURRELL: Josh, are you with us tonight? I apologize because Josh said he -- I talked to him earlier today and he said he would be on the call. I -- I don't know if he's having trouble
getting in or whatever. I -- we had talked to -- to
Josh. We've sat down with him a few times. He has
done -- he's going to do the asbestos -- I can't say
the -- remediation and he's going to also do some -- I
believe he's already conducted some soil tests with
regards to this. We've also requested that when he
does the -- the demolition, that we don't want any of
the property or any of the structure put in the
ground. (Inaudible) removed and he has agreed to do
that and we will putting topsoil and grass in so it
goes back to its natural look. And that's all I
(inaudible).

DR. BENSON: Okay. Are there any
questions from the -- thank you. Are there any
questions from the Board?

MS. HATCH: Okay. Mr. Brook and Ms.
Anderson have their hands raised.

DR. BENSON: All right. John?

MR. JOHNS: Yes, John Brook, member of
the Board. I assume that since you've got the
contract for the -- the demolition of this property
that you've -- if you did consider the rehabilitation
of it, that you've rejected that as being too costly?

MR. MURRELL: It -- it was -- it was
destroyed. The fire started on the first floor in the rear where it just basically was a mudroom for them. There were some stains and paint and other flammables there as well, so when this fire started, it went right up from the mudroom to the second floor and took the entire -- the entire second floor was engulfed. We've had our people go out and take a look at it and they -- there's just no way they can -- they can do anything with this structure.

MR. BROOK: (Cross talk) --

MR. MURRELL: The other problem is --

MR. BROOK: -- the other reason I asked that --

MR. MURRELL: I'm sorry. (Inaudible).

MR. BROOK: -- question is because it looks like the outside walls are still in pretty good condition. I -- I assume it must be a masonry construction?

MR. MURRELL: Yes, that's correct. And -- and you are correct with that, but if you went inside, you would see that it is fairly well gutted from fire --

MR. BROOK: Okay.

MR. MURRELL: -- inside of the house,
but that's about all that's left there.

MR. BROOK: So you didn't get --

MR. MURRELL: (Cross talk) --

MR. BROOK: -- you didn't -- you didn't estimate any costs associated with restoring this property?

MR. MURRELL: No, sir, we didn't.

MR. BROOK: Okay.

DR. BENSON: Karen?

MS. ANDERSON: My question is was the demolition -- when you spoke about with BrightFields -- was there any discussion about preserving anything such as the -- that front entry door? It looks like it is in pretty good shape -- the entire frame is there as well as the -- the -- the cover. And also --

MR. MURRELL: Well, I --

MS. ANDERSON: -- the -- some of the windows, they also look like they can be recovered, so yeah.

MR. MURRELL: We -- we certainly can look at that. That's (inaudible) and -- and you are correct. Fortunately or unfortunately, I literally live about a eighth of a mile up from the road, so I see it pretty much every day and I had been there when
the stolen car was there and just two weeks ago I was there with people trying to get in to see what they can -- to get. The rear of the property is completely gone. Again, the fire originated in the rear of the house and then it just bellowed into the second floor. So the front of the building -- I agree with you -- the door and the windows probably could be salvaged and we could do that. That's not a problem, but our -- our intent is to take the building down and -- and to put in -- in a grass area and just leave it the way it is. Now the two (inaudible) that are out front will remain there and we'll keep it chained until we can grow the grass, but the (inaudible) that there. So I certainly (inaudible) windows and the door, we can certainly look at that, that's not a problem.

MS. ANDERSON: Thank you.

DR. BENSON: Thank you. Is there anyone else, Betsy, who wishes to question?

MS. HATCH: Mr. Patel has his hand raised.

DR. BENSON: Perry?

MR. MURRELL: Yes, sir?

MS. HATCH: You -- I believe he's muted. Let's -- let's try and unmute him.
MR. PATEL: Can you hear me now?

MS. HATCH: Now we can hear you?

DR. BENSON: There you are.

MR. PATEL: It was the technology.

(Inaudible) question was in -- specifically to the laws in terms of the county-owned building that was leased to somebody that ran into the difficulties. What is the county -- county's (inaudible) obligation in a situation like this and/or to rebuild the buildings for whatever it is worth?

MR. MURRELL: So this was a situation where we had this property as a curatorship property. So when we put the bids, we really didn't get any good bids with people who had the right combination of financing and -- and skill set to keep the property going and the employee that we had submitted a very good proposal -- a renovation plan. So what we did was if he would spend $50,000.00 in the first five years of the renovation -- he did a complete renovation plan and I can tell you right now, he was one year away from being in his fifth year of the -- of the renovation and he guessed that he had about $35-$38,000.00 invested in his own money to again -- to renovate the house and keep it the way it was. So
he actually kind of doubly lost. He lost everything in the fire -- or he and his wife -- I'm sorry, it's -- they're -- they're married. He and his wife lost everything in the -- in the fire as well as their $38,000.00 -- approximately $38,000.00 in sweat equity and real property. So -- I mean -- they redid the plumbing, they redid the electrical, they did -- I mean -- they were in the midst of doing room after room. So what they basically did was they lived in one room and fixed the bathroom and that's how they'd been living for several years doing each piece of the house as they could. So that's how we do -- that's how we were doing that. It's much like the Woodstock house over on Banning Park. That's a complete curatorship program. The husband and wife there, they did -- they spent over $750,000.00 to renovate that house and they're currently living there. So for the -- for the -- the investment that they made into the property, they get a lifelong contract with New Castle County and they don't pay any taxes on it, so that's the beauty of the curatorship. The problem with the curatorship program is it's hard to find somebody that fits that criteria that one, they will be successful, and two, New Castle County will be successful. But
that's -- that's how that situation was with our employee. He was going to be there five years, make that investment, we were going to have him pay rent in the sixth year, but unfortunately, we never got there.

MR. PATEL: And, Bob, I appreciate all that and I think maybe the -- just looking at the optics of it for somebody as a public to feel like county's building as a history, we lost it, and how does the insurance plays into all this?

MR. MURRELL: We're -- we're self-insured.

MR. PATEL: Okay. That's --

MR. MURRELL: New (Inaudible) County is self-insured. As a matter of fact, our -- our risk manager, who I believe is pretty aggressive, she called -- they had a USAA Insurance and wanted to see if they would supplement the cost of the demolition project that we were undertaking and, unfortunately, they -- they were not interested in doing that, so.

MR. PATEL: (Inaudible). Okay. Okay.

DR. BENSON: Any other questions from the Board? Hearing none. Thank you, Mr. Murrell. Betsy, is there anyone who wishes to speak about this project?
MS. HATCH: I am not seeing any raised hands.

DR. BENSON: Thank you. All right. Well, that concludes the meeting. No, is there any public comment? Hearing none and hearing none passed onto me, that concludes this hearing. Is there a motion to adjourn?

MR. DAVIS: So moved.

DR. BENSON: Second?

MR. PATEL: I second it.

MS. ANDERSON: Second.

DR. BENSON: All right. John -- John moved. Perry seconded first. All in favor?

MR. BROOK: I.

UNKNOWN MALE: I.

UNKNOWN FEMALE: I.

DR. BENSON: I. Motion carries. Thank you.

MS. HATCH: All right. Now that the Board --

DR. BENSON: Now just because we're -- we're finished here, we aren't finished because we're moving on now to a business meeting.

MS. SILBER: Yay.
DR. BENSON: Yes. And we will begin with roll call. I'm Barbara Benson.

MR. BROOK: John Brook.

MS. SILBER: Barbara Silber.

MS. ANDERSON: Karen Anderson.

MR. JOHNS: Steve Johns.

MR. PATEL: Perry Patel.

MR. DAVIS: John Davis.

MR. ZAHRALDDIN: Rafael Zahralddin.

DR. BENSON: And we have with us from the Department of Land Use Betsy Hatch. Is Colleen still with us?

MS. NORRIS: I'm still here.

DR. BENSON: All right. And Colleen from the Law Department. Will you read in --

MS. HATCH: Chris Jackson (ph) --

DR. BENSON: Oh, and Chris is there?

MS. HATCH: He's -- he's (inaudible).

DR. BENSON: All right.

MS. HATCH: All right.

DR. BENSON: Then rules of procedure, Betsy. Will you read them in?

MS. HATCH: Sure. This is a business meeting conducted by the New Castle County Historic
Review Board. The purpose of this meeting is for the Board to discuss and evaluate the information and testimony received at the prior public hearing. As part of this meeting, the Board may choose to engage the applicants in additional discussion. The public is invited to listen, but not to speak; however, the public record remains open for submittal or (inaudible) comment. The meeting is recorded and transcribed.

DR. BENSON: Thank you. We have one piece of new business. Will you read it into the record?

MS. HATCH: It's Application 2020-02085. 3200 Mill Creek Road. (South side of Mill Creek Road, approximately 0.46 miles east of the intersection with Stoney Batter Road.) (Tax Parcel 08-032.00-013.) Mill Creek Hundred. And this is a demolition permit of a single-family dwelling constructed circa 1900. S zoning. Council District 9.

DR. BENSON: Thank you. We do have a sheet -- I'm sure you've all reviewed it of staff recommendations. Betsy, do you want to just --

MS. HATCH: Sure.
DR. BENSON: -- say anything about all of it?

MS. HATCH: Yeah, I'd be happy to read the staff recommendation into the -- the record.

DR. BENSON: Yes.

MS. HATCH: So staff conducted a site visit on March 2, 2020. Due to the fire, the house is in very poor condition and could pose safety threats if left in its current state. It does not appear to be safe enough for a -- a full historic documentation and HABS drawings. For these reasons, staff recommends that the Historic Review Board release the demolition permit for the structure.

DR. BENSON: Thank you. Discussion?

MS. HATCH: Mr. Brook and Mr. Patel have their hands raised.

DR. BENSON: All right. John?

MR. BROOK: Madam Chair, I move that we release the demolition permit for this property.

DR. BENSON: Thank you. Perry, did you want to comment beyond that?

MR. PATEL: No, I just wanted to second the motion.

DR. BENSON: Fine. Any further
discussion?

MS. ANDERSON: Yes. I would like to amend the motion. I -- I move that the --

DR. BENSON: Karen -- Karen Anderson.

MS. ANDERSON: Yes, this is Karen Anderson. I would like to amend the motion to include the salvage of the windows -- any undamaged windows, the entry portico, and the entry door and frame.

DR. BENSON: Yes, that's beautiful. John, is that acceptable to you as an amendment?

MR. BROOK: I -- I -- I accept that amendment to my motion.

DR. BENSON: And, Perry, do you second it?

MR. PATEL: I second that revised motion.

DR. BENSON: All right. Further discussion? All right. We'll vote. All in favor?

ALL PARTICIPANTS: I.

DR. BENSON: Opposed? Motion carries. Well, there you go.

MR. BROOK: Is there any other --

DR. BENSON: I assume -- I assume we have no public comment?
MS. HATCH: I am not seeing any hands.

DR. BENSON: All right. The report of the preservation planner.

MS. HATCH: Yep. So I do have a report for you guys. We are currently still working hard on a -- a line-by-line review with our office of law on the historic framework document that we had sent you all drafts of about multiple changes to historic resources, revisions in the unified development code and in the building permit code. So across the majority of New Castle County code. So (inaudible) we will continue to keep you updated and we're hoping that that will be complete very soon. I know Councilman Durham had also mentioned that earlier -- you know -- changes to adaptive (inaudible), updating the terms and making sure consistency is there -- kind of giving more information on -- you know -- when the Board requires documentation and what that means, et cetera. So that is still moving along. I just wanted to -- to keep you updated on that. I think that's the only thing that I have for you this evening.

DR. BENSON: Okay.

MS. HATCH: I did see Mr. Brook --

DR. BENSON: Well --
MS. HATCH: -- had his hand raised.

DR. BENSON: Yes, John?

MR. BROOK: Yeah, if -- if we have concluded the agenda -- have we?

DR. BENSON: Yes, we have.

MR. BROOK: I move we adjourn.

UNKNOWN FEMALE: (Cross talk) --

DR. BENSON: Is there a second?

MR. PATEL: Second.

MR. ZAHRALDDIN: Second.

DR. BENSON: Thank you. That was Rafael, was it not?

MS. HATCH: Uh-huh.

MR. ZAHRALDDIN: It was.

DR. BENSON: All right. All in favor?

ALL PARTICIPANTS: I.

DR. BENSON: Motion carried. We are adjourned. Thank you all very much. Wasn't this exciting?

MS. HATCH: Thank you, everyone. Good job.

MS. SILBER: All right.

UNKNOWN: (Cross talk).

UNKNOWN: See you later.
MS. HATCH: Take care.

MR. PATEL: (Inaudible).

MS. HATCH: Yep.

UNKNOWN: (Inaudible).

MR. BROOK: (Inaudible).

UNKNOWN: You done?

MR. BROOK: I'm done -- I'm almost done.

(Whereupon, this hearing concluded.)
CERTIFICATION

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

________________________
Mitzi Limburg

Mitzi Limburg
Approved Transcriber

Dated: May 31, 2020