

1 NEW CASTLE COUNTY DEPARTMENT OF LAND USE

2 HISTORIC REVIEW BOARD

3 APRIL 21, 2020

4 5:00 PM

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6 87 READS WAY

7 NEW CASTLE, DELAWARE 19720

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Transcribed by: Mitzi Limburg

1     ATTENDEES:

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3     Betsy Hatch, Moderator

4     Colleen Norris, Law Department

5     Dr. Barbara Benson, Chairwoman

6     Perry Patel, Board Member

7     John Davis, Board Member

8     Rafael Zahralddin, Board Member

9     Barbara Silver, Board Member

10    Karen Anderson, Board Member

11    John Brook, Board Member

12    Stephen Johns, Board Member

13    Michael Cody, Applicant

14    Wendy Stabler, Applicant

15    Carol Ohm, Applicant

16    John Price

17    Dave Baker

18    Bill Bell, Councilman

19    Dee Durham, Councilwoman

20    Mark Reynolds

21    Bill Rhodunda

22    Bob Murrell

23    Chris Jackson

24

1 P R O C E E D I N G S

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

4 UNKNOWN FEUNKNOWN MALE 1: (Inaudible)  
5 better now?

6 MS. HATCH: You are.

7 UNKNOWN FEUNKNOWN MALE 1: Okay.

8 MS. HATCH: Hello.

9 UNKNOWN FEUNKNOWN MALE 1: Hello.

10 UNKNOWN MALE 1: How you doing?

11 UNKNOWN FEUNKNOWN MALE 2: Hello?

12 MS. HATCH: Hello, we can hear you.

13 UNKNOWN FEUNKNOWN MALE 2: Good. Okay.

14 UNKNOWN MALE 2: (Inaudible).

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

17 UNKNOWN FEUNKNOWN MALE 1: Thank you.

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

20 UNKNOWN FEUNKNOWN MALE 1: Can you see  
21 me?

22 MS. HATCH: I can't. Let me ask to  
23 start your video. Yeah, okay. Here we go. Start my  
24 video. There we go.

1 UNKNOWN FEUNKNOWN MALE 1: Hello.

2 UNKNOWN MALE 2: Hello.

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

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

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

9 UNKNOWN FEUNKNOWN MALE 1: Yep.  
10 Actually, I need -- that reminds me, I need to tell  
11 Chad (ph) to bring in the plants.

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

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

18 MS. HATCH: Oh --

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

24 MS. HATCH: Oh --

1 UNKNOWN FEUNKNOWN MALE 1: -- so, but I  
2 have like four left. So I'm like extra careful about  
3 the rhubarb.

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

6 UNKNOWN FEUNKNOWN MALE 1: Yeah, I hope  
7 so.

8 UNKNOWN FEUNKNOWN MALE 2: Well, I'm  
9 growing baby tomato plants.

10 UNKNOWN FEUNKNOWN MALE 1: Yeah -- yep,  
11 me, too. Yep.

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

14 UNKNOWN FEUNKNOWN MALE 1: Yes -- yep.

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

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

22 UNKNOWN MALE 1: (Inaudible).

23 UNKNOWN FEUNKNOWN MALE 1: So I've been  
24 wanting to try that out.

1 UNKNOWN FEUNKNOWN MALE 2: It's very  
2 weird seeing the two of you in the room all by  
3 yourself.

4 MS. HATCH: I know, I know.

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

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

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

10 MS. HATCH: I don't think so.

11 UNKNOWN MALE 1: Where did they go?

12 MS. HATCH: Let's see --

13 UNKNOWN MALE 1: Betsy is still here.

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

16 UNKNOWN MALE 1: (Inaudible) John  
17 Brook.

18 MS. HATCH: Uh-huh.

19 UNKNOWN FEUNKNOWN MALE 2: Rafael --

20 UNKNOWN MALE 1: Our fearless leader,  
21 Barb.

22 MS. HATCH: So, Colleen (ph), they had  
23 a business meeting this morning and one of -- I was  
24 talking with Matt (ph) and one of his recommendations

1 was -- I don't know if Barbara could lead the charge  
2 on this, but making a motion for the rules of order so  
3 that just public comment can be in any particular  
4 order to manage it --

5 MS. NORRIS: Uh-huh.

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

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

14 MS. HATCH: Uh-huh.

15 MS. NORRIS: -- it's --

16 UNKNOWN MALE 1: If that ever happens.

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

19 MS. HATCH: I know.

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

23 MS. HATCH: I know.

24 MS. NORRIS: (Cross talk) office, but -

1 - you know -- I think you should be able to manage it  
2 and just -- you know -- you as the moderator. I mean  
3 -- you're not --

4 MS. HATCH: Uh-huh.

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

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

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

16 MS. HATCH: Okay.

17 MS. NORRIS: -- so.

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

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

23 MS. HATCH: Right.

24 MS. NORRIS: -- calling a vote, having



1 discussion, staying on topic with the -- you know --  
2 with whatever the questions of the applicant area --

3 MS. HATCH: Right.

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

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

8 MS. NORRIS: Okay.

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

11 MS. NORRIS: Okay.

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

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

22 UNKNOWN MALE 1: (Inaudible) coffee.

23 UNKNOWN FEUNKNOWN MALE 2: --  
24 (inaudible) husband (inaudible).

1 UNKNOWN MALE 1: Yeah, yeah. This is  
2 coffee like Johnny Carson used to drink coffee.

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

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

10 UNKNOWN MALE 3: Okay. There I am.

11 MS. HATCH: All right. We see you.

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

14 MS. HATCH: Yeah, we can hear you.

15 UNKNOWN MALE 1: (Cross talk).

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

18 UNKNOWN MALE: (Inaudible).

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

20 MS. HATCH: Hi there. Who's 302-383-  
21 1454?

22 UNKNOWN FEMALE: Barbara.

23 MS. HATCH: Hi, Barbara.

24 DR. BENSON: Well, I happened to be on

1 my iPhone because I cannot get on the iPad.

2 MS. HATCH: Oh, okay.

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

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

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

9 DR. BENSON: On the iPhone or the iPad?

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

12 DR. BENSON: Great. Okay.

13 MS. HATCH: All right. Thanks.

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

16 MS. HATCH: Yeah, okay.

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

19 MS. HATCH: Hey, Barbara. How are you?  
20 Oh, no. Okay. So do you have the meeting invite?

21 UNKNOWN MALE 3: There we go.

22 MS. HATCH: All right. Let's see here.  
23 We're still waiting on Rafael, I think that's it. One  
24 -- or Karen -- and Karen.

1 UNKNOWN MALE 3: (Inaudible).

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

3 Here's Karen.

4 UNKNOWN MALE 3: There she is.

5 MS. HATCH: All right. And let's find

6 -- I think we're just waiting on Rafael. Oh --

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

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

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

14 DR. BENSON: Okay. Can you hear me?

15 MS. HATCH: Yep, we can hear you.

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

18 UNKNOWN MALE 3: Okay. There we go.

19 MS. HATCH: Okay.

20 UNKNOWN FEUNKNOWN MALE 2: (Inaudible)

21 --

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

24 MS. HATCH: That's fair. All right.

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

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

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

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

19 MS. HATCH: Okay.

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

1 MR. BROOK: I'm John Brook.

2 MS. ANDERSON: I'm Karen Anderson.

3 MS. SILBER: Barbara Silber.

4 MR. JOHNS: Stephen Johns.

5 MR. PATEL: Perry Patel.

6 MR. DAVIS: John Davis.

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

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

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

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

19 MS. HATCH: (Cross talk) --

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

23 MS. HATCH: Sure thing. This is a  
24 public hearing conducted by the New Castle County

1 Historic Review Board. The purpose of these hearings  
2 is to compile a record of relevant information  
3 regarding each application and how the proposed  
4 projects affect the county's historic resources. To  
5 make the most efficient use of time at this hearing,  
6 the following rules of order are established:  
7 Following the -- following the reading of each agenda  
8 item, the applicant and their representatives will  
9 make a presentation not to exceed a total of 15  
10 minutes. Board members may ask questions of the  
11 applicant at the conclusion of the presentation. The  
12 public will then be invited to speak in the following  
13 order: 1) Those who wish to speak in favor; 2) those  
14 who wish to speak in opposition; and 3) those who wish  
15 to offer general comment. Speakers are encouraged to  
16 be brief and to focus their remarks on historic  
17 issues. So that everyone has an opportunity to be  
18 heard, all speakers are limited to five minutes. Any  
19 speaker may ask the Board to hold the record open for  
20 submittal of written testimony if the time limit is  
21 not sufficient for their needs. Speakers are no  
22 permitted to debate the applicant, but may ask  
23 questions that the applicant may choose to answer  
24 during his rebuttal period at the close of the comment

1 period. All testimony is recorded and transcribed;  
2 therefore, all speakers must come forward to the phone  
3 one at a time and state their name, address, and  
4 organization affiliation, if any, before offering any  
5 comments. Random comments from the audience will not  
6 be recognized and the public is asked to respect the  
7 applicant's right to an orderly hearing. No  
8 recommendations or decision will be made at the -- by  
9 the Historic Review Board at the hearing today. The  
10 Board will evaluate the information, testimony, and  
11 comments received here at a public business meeting to  
12 be held the first Tuesday of next month.

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



1 meeting. So we appreciate everyone's patience and  
2 look forward to a -- a good meeting.

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

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

12 UNKNOWN FEMALE: (Cross talk) --

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

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

21 MS. HATCH: We can.

22 MR. CODY: So I can get started?

23 MS. HATCH: Yep.

24 MR. CODY: Thank you. I, first and

1 foremost, thank the Board -- yourself, Ms. Hatch, for  
2 putting together the Zoom meeting to do all your guys'  
3 best to continue business on the best method possible.  
4 So I thank all of you for that. But yeah,  
5 essentially, just to carry from the previous meeting  
6 to now. We are constructing a three-season sunroom  
7 and I think the issue on the last meeting was -- in  
8 the previous submittal, we had a double-sliding  
9 window. So I spoke to the client whose property this  
10 is and essentially have changed the structure, if you  
11 will. Where you see this sliding door, we're going to  
12 have a wall that runs along 14 foot and go back to the  
13 house 11 foot, so essentially, what we're doing -- Ms.  
14 Hatch, if you can go back to that last slide real  
15 quick. We are -- these double-hung windows that are  
16 on the back of the house now and the siding on this  
17 house is exactly what we're going to put on the  
18 exterior wall of the new three-season sunroom. So it  
19 is going to be an exact like for like. So as you see  
20 here, we'll have a well coming across off the sliding  
21 door and then back to the house 11 feet. So it's a 14  
22 by 11 three-season sunroom with exact matched siding  
23 on the exterior and the windows to mass the existing  
24 grid pattern of the windows there. So it will like it

1 has been part of the home once we are complete. The  
2 shingles on top of the roof will match as well.

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

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

10 DR. BENSON: Thank you.

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

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

17 MS. HATCH: Chairwoman Benson?

18 DR. BENSON: Yes.

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

21 DR. BENSON: John?

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

1 the house.

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

7 MR. BROOK: Yeah.

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

13 MR. BROOK: Yes.

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

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

21 MR. CODY: Correct.

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

24 MR. CODY: Yes, sir.

1 MR. BROOK: Okay. So you won't have  
2 the same pitch on this roof as exists on the rest of  
3 the house?

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

12 MR. BROOK: (Cross talk).

13 MR. CODY: -- on that house.

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

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

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

23 MR. CODY: Right before that, correct.

24 MR. BROOK: All right. That's all I

1 want to know. Thank you.

2 MR. CODY: No problem.

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

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

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

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

13 MS. ANDERSON: Okay. Thank you.

14 DR. BENSON: Now, Steve Johns.

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

19 MR. CODY: Yes.

20 MR. JOHNS: Okay. So the more  
21 complicated question is -- it has to do with the  
22 roofline. So the roof is going to slope away from the  
23 house towards us when we're looking at that  
24 photograph; is that correct?

1 MR. CODY: No, that is not correct.  
2 It's going to follow that roof that's there now on the  
3 left side. It's going to continue along the house.

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

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

8 MR. JOHNS: Okay.

9 DR. BENSON: Are there other questions?

10 MS. HATCH: I'm not seeing any.

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

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

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

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

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

23 MS. HATCH: All right. I think we're  
24 good.

1 DR. BENSON: All right.

2 MS. HATCH: Oh, Chairwoman Benson --

3 DR. BENSON: Yes.

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

6 DR. BENSON: Oh, Steve?

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

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

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

21 MS. NORRIS: I mean, technically, it's  
22 concluded, but he would be permitted -- he -- Member  
23 Johns would be permitted to -- you know -- ask a  
24 question at the business meeting. So in light of our



1 sort of unusual circumstances and the fact that the  
2 applicant -- if they're still -- are they still  
3 available?

4 MS. HATCH: I --

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

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

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

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

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

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

18 MS. NORRIS: -- to public comment.

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

21 MS. NORRIS: Right.

22 DR. BENSON: -- arbiter of this.

23 MS. NORRIS: Exactly. (Inaudible).

24 DR. BENSON: All right. Sir --

1 MS. NORRIS: Exactly. So no harm, no  
2 foul.

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

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

12 MR. CODY: Yeah --

13 MR. JOHNS: -- read the plans wrong?

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

21 MR. JOHNS: Okay.

22 DR. BENSON: Does that mean flat?

23 MR. CODY: No, it will have a sloped to  
24 it.

1 DR. BENSON: Okay.

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

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

17 MR. JOHNS: Okay.

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

20 DR. BENSON: Karen?

21 MS. ANDERSON: Yes. I -- I think that  
22 that -- what Steve Johns was speaking about is a key  
23 point, so I -- I think it would be great to actually  
24 see what the true intent is because when you do look

1 at these based on the plan that is submitted -- the  
2 site plan -- orientation and the elevation then they  
3 are not reflecting --

4 MR. CODY: Yeah --

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

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

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

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

19 MS. ANDERSON: Right, but this picture  
20 that you're looking at right now which is the section  
21 has the incorrect slope on it because technically if  
22 that's the existing -- well, it depends on -- well, no  
23 -- no, because based on the -- the plan that you  
24 provided showing where the section cut is, then this

1 section actually should be sloping towards us.

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

5 MS. ANDERSON: Yes, that one.

6 MR. CODY: -- that --

7 MS. ANDERSON: That slope is not  
8 correct.

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

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

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

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

1 it would be sloping towards us.

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

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

15 MR. CODY: Right.

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

18 MR. CODY: (Inaudible).

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

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

23 MS. ANDERSON: So I -- well, I guess  
24 what I'm saying is that I think that the drawings need

1 to be maybe resubmitted or revised so that they -- so  
2 that we're all clear on the roof slope. I think it's  
3 very important.

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

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

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

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

16 MR. CODY: Right, so when I --

17 MR. BROOK: And --

18 MR. CODY: -- go ahead.

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

22 MR. CODY: So what I can do is I will  
23 have the drawings redone showing this slope along --  
24 parallel along with the back of the house and then

1 what I'll also try to do is take the picture of the  
2 back of the house and superimpose the room on there to  
3 give you a better depiction of what that looks like.

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

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

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

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

14 MS. HATCH: Okay.

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

18 DR. BENSON: That would be very  
19 helpful.

20 MR. CODY: Very good.

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

23 MS. NORRIS: I think before you do  
24 officially -- just -- if we could just check to make



1 sure that the Board's comments didn't generate any  
2 additional public comment. I doubt there is since  
3 there wasn't anybody there, but I think we still need  
4 --

5 DR. BENSON: We can --

6 MS. NORRIS: -- to ask.

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

10 MS. HATCH: I --

11 DR. BENSON: -- just want to talk?

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

13 DR. BENSON: Thank you.

14 MS. HATCH: All right.

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

18 MS. HATCH: Sure. A moment. All  
19 right. Our next item on the agenda is Application  
20 2019-0676: 4353 Summit Bridge Road. (East side of  
21 Summit Bridge Road, 2,500 feet north of Boyds Corner  
22 Road.) (Tax parcel 13-007-00-078.) St. Georges  
23 Hundred. This is Historic Overlay rezoning and  
24 associated parking plan for an adaptive reuse of the

1 A. Eliason House, which is listed on the National  
2 Register of Historic Places, constructed circa 1856.  
3 NC21 Zoning. Council District 12. And then the  
4 applicant's presenter is Wendy Stabler (ph). Wendy,  
5 are you there?

6 MS. STABLER: Yes, can you hear me?

7 MS. HATCH: We can.

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

1 it's a -- a labor of love as well as hopefully a --  
2 hopefully soon to be a successful commercial  
3 conversion to adaptive reuse.

4 The Board should have in hand the  
5 Historic Report prepared by Kate Marcy (ph) of the  
6 University of Delaware along with the exhibits  
7 consisting of the colored rendering of the site plan,  
8 (inaudible) board showing photos of the -- of the  
9 house as well as some -- some photos of the site --  
10 particularly perimeter. It is -- this hopefully will  
11 be an easy one. It -- it's a prime candidate for a  
12 historic zone overlay adaptive reuse. The property is  
13 currently zoned NC21. It is located on Summit Bridge  
14 Road across from the airport. It is surrounded by  
15 other NC21 properties and the subdivision of the  
16 Summit Pond. It is -- as you know -- on the 896, a  
17 very well-traveled thoroughfare. It's a 1.64-acre  
18 property. Surrounded on all sides with mature  
19 screening to protect its residential neighbors. It is  
20 also located within a -- a recharge area. It's in a  
21 wellhead recharge area as well a Class A wellhead and  
22 -- and recharge area. So (inaudible) coverage on the  
23 site is limited to 20 percent. As of (inaudible),  
24 we're trying very hard to respect that -- not only for

1 the environmental reasons, but obviously, the historic  
2 integrity of the site. We're trying to make as few  
3 changes as possible.

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

17 So the property is a prime candidate  
18 for historic zone overlay for a number of reasons. It  
19 is, of course, on the National Register of Historic  
20 Places, but this also meets for other criteria, A, B,  
21 E, K, and L, cultural (inaudible) and cultural past,  
22 the architecture yields info as to pre-history as well  
23 as associated with the life of important person. It -  
24 - the house was built in 1856. I won't go into too

1 much detail, but it -- it's all in your historic  
2 report, which hopefully, you've had a chance to breeze  
3 through.

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

1 this project, and his wife actually grew up on this  
2 property.

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

24           We did have the opportunity before

1 COVID changed our lives, to actually meet with the  
2 community on January 30. There was a meeting held  
3 there in which members of the association and -- and  
4 the neighborhood participated. We were joined by  
5 Councilman Bill Bell, Representative Hensley, and  
6 Senator Stephanie Hansen. We found them to be  
7 generally very, very supportive and we are excited to  
8 move this application through the process. Hopefully,  
9 the Board will find this an easy one to endorse, but  
10 in doing so, we would also ask the Board to please  
11 consider making some affirmative recommendations that  
12 would cover some -- some applications that we have.  
13 In particular, it's mentioned the -- the property is  
14 1.62 acres -- 1.64 acres. As -- as you all may  
15 recall, the UDC requires the three acre minimum for  
16 historic zone overlay. So we'd ask you to endorse a  
17 Board of Adjustment Variance for the 1.64 acres. We  
18 believe that the site is extremely well-protected from  
19 our residential neighbors. We have no planned  
20 improvements that would in any way impact them. The  
21 access is on 896. It's just as I mentioned, a very,  
22 very special property which we believe well qualifies  
23 it notwithstanding the fact that the site acreage is  
24 slightly under the -- what's -- what's required.

1           Also we're looking for an endorsement  
2 of -- a -- a request that we limit any changes to the  
3 entrance. We do -- absolutely don't think it's  
4 necessary to accommodate the type of vehicles. We're  
5 thinking that this will likely be a real estate  
6 office, an attorney's office, some very low-density  
7 commercial office. As the Board knows, it is not a  
8 retail establishment and the types of delivery trucks  
9 would be the same types of Amazon trucks that would  
10 come into the residential neighborhood. So we'd very  
11 much like to leave the access the way it is. Also  
12 this would prevent any adverse impacts on the -- on  
13 the recharge and the wellhead recharge in which it's  
14 located. DelDOT has already indicated that we won't  
15 have to put sidewalks out front. Thank goodness, it  
16 would be in keeping with the area. There's not a lot  
17 of pedestrians along 896, but we would hope that the  
18 Board could endorse and support our request of -- of  
19 DelDOT not to require a -- a widening of the driveway  
20 to make unnecessary site changes which might also  
21 involve potential loss of mature trees along the  
22 frontage.

23           As mentioned and -- and Betsy included  
24 in the package -- I can through it if you'd like, but



1 here just gives you a better sense of the site  
2 features. As mentioned, very, very limited disruption  
3 -- disturbance. Only in the area where the existing  
4 pool is to add -- add parking. We will maintain as --  
5 you know -- with -- with really no impact on  
6 landscaping and screening -- all of the exterior  
7 protections that are currently in existence on the  
8 property. So this is an opportunity to convert this  
9 gem to an adaptive reuse to hopefully provide some  
10 revenues to continue the upkeep that is necessary on  
11 these old homes. We -- we think -- we -- we qualify  
12 for all of the reasons and the five criteria mentioned  
13 and I'm happy to respond to any questions that the  
14 Board might have or answer specific questions.

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

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

19 MS. SILBER: Hi. Barbara Silber.  
20 Thank you so much. I think it's a excellent idea to  
21 reuse this property and I'm glad that this property is  
22 -- is going to have a -- another life. One of the  
23 things I did -- would like to bring up is that in your  
24 -- in the historic report, I noticed that there is a

1 statement that says that the property is recognized as  
2 having an archaeological potential and also this area  
3 in general, I know across the street there have been  
4 some archaeological resources identified. You  
5 mentioned that you're not going to do much on the --  
6 on the exterior other than parking as needed. Am I  
7 correct in understanding that?

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

17 MS. SILBER: Okay. Well, how about --  
18 are -- are there any landscape -- landscaping that --  
19 major landscaping improvements or anything else that  
20 may -- may occur, not necessarily from this phase, but  
21 perhaps down the road. The -- you know -- I know it's  
22 hard to anticipate what is going to happen, but in  
23 general -- you know -- I'm -- I'm thinking -- is -- is  
24 where I'm going with this is that it is recognized

1 that the property is -- is -- is historic, it's  
2 recognized that it also has an archaeological  
3 potential, and I'd like to express that in the future  
4 when things are -- you know -- improvements may be  
5 entertained in the outside within the property bounds,  
6 I'd like to -- to see that there's a proactive effort  
7 to acknowledge that the potential for archaeological  
8 resources does exist on the property. I think this is  
9 one of the -- the -- the benefits of this property is  
10 that it is as you -- as everybody has mentioned -- it  
11 is in very good condition, both the structural  
12 components as well as the -- the land -- the land that  
13 upon which it sits and I think that is important to --  
14 to understand that -- that while things may not  
15 necessarily change, that those things need to be taken  
16 into consideration during external improvements or  
17 anything just to maintain the historic integrity of  
18 the property as a whole. And that -- that's all I  
19 have to say. So, but I do commend you on excellent --  
20 you know -- plan for adaptable reuse of this property.

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

1 MS. STABLER: Correct.

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

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

11 MS. STABLER: Generally, yes.

12 MS. SILBER: Okay. Well, the good news  
13 is is that the pool -- is -- my guess is a six- to  
14 eight-foot-deep pool perhaps. I mean -- the good news  
15 is that if there was anything there, that has since  
16 been removed by -- during the excavation to construct  
17 the pool. I would think that it would not be a bad  
18 idea that while that pool is being ripped out to have  
19 some level of monitoring -- that would be a good idea,  
20 but my guess is that it's probably pretty clean by now  
21 at that point or totally disturbed, but if nothing  
22 else, while the pool is being dismantled and removed,  
23 it would be a good idea to get a -- an observation or  
24 monitoring effort just to see what the subsurface --

1 the subsurface profile of the property is. I think  
2 that will go a long way for future as -- as that will  
3 give you a little bit of a window into what -- what  
4 you're looking at below surface. So yeah, that --  
5 that is not a bad idea. A couple photographs -- I  
6 think you -- you know -- it -- it will give -- give  
7 you a head start for the future. Does that -- does  
8 that make sense?

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

13 MS. SILBER: Right.

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

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

24 UNKNOWN: (Inaudible).

1 MS. HATCH: Chairwoman Benson, I just  
2 wanted to mention that Karen Anderson, Mr. Patel, and  
3 John Brook have their hands raised.

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

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

20 MS. STABLER: Yeah. So there are trees  
21 are both sides of the driveway, depending upon how --  
22 for what width any widening would be required. We  
23 certainly would want to do everything we can to -- to  
24 avoid that, so there's both the potential impact on

1 mature trees as well as the addition of the pervious  
2 coverage in a recharge area, neither of which is  
3 sound, neither of which should be required in -- in  
4 our view in order to accommodate the (inaudible).

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

11 MS. STABLER: So -- so --

12 MS. ANDERSON: -- looking (cross talk)  
13 --

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

22 MS. ANDERSON: Okay.

23 MS. STABLER: -- I -- I just got a  
24 reaffirmation from my engineer by text that John Rudd

1 had no issue with the access for firetrucks. She's  
2 confirming that which I would have recalled.

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

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

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

20 MS. STABLER: Yeah, so as -- as -- as  
21 you may be aware, even so and of course, they're,  
22 they're going to be very respectful of the interior,  
23 but -- but there are no -- you know -- other than  
24 exterior -- and of course, it isn't nominated, but as



1 the Board's aware, the -- you know -- the -- to be --  
2 and -- and that's the benefit of the historic zone  
3 overlay because in the absence of that -- I mean --  
4 there is no architectural protections notwithstanding  
5 that it is on the National Register and with the  
6 historic zone overlay, this Board then is given  
7 oversight -- strict oversight of anything that happens  
8 on the exterior. The interior, of course, is not --  
9 is not within the Board's jurisdiction, but we are --  
10 you know -- doing everything we can to -- to -- to  
11 keep the interior as -- you know -- keep its  
12 integrity.

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

15 DR. BENSON: Then on to Perry Patel.

16 MR. PATEL: Yes, very first and  
17 foremost, I think you're doing a good job. I think  
18 it's a good project. (Inaudible) I have a -- I wanted  
19 to ask to see if you have a specific language that you  
20 are looking from the Board in terms of the minimum  
21 (inaudible) in terms of the endorsement and then in  
22 terms of the DelDOT sidewalk issues -- if you'd give  
23 us specific language at the next business meeting.  
24 And I just had one question was there's a pool house

1 of approximately 462 square foot. Is that going to be  
2 left like a shed or what's going to be the use of it?

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

8 MR. PATEL: Yeah.

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

11 MR. PATEL: (Inaudible).

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

16 MS. HATCH: Okay. One more.

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

19 MS. HATCH: A little bit.

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

22 MR. PATEL: Uh-huh.

23 DR. BENSON: Perry, are you done?

24 MR. PATEL: Yeah, I'm done.

1 DR. BENSON: Okay. John?

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

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

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

23 MS. STABLER: Right. So that's an  
24 excellent point. Right now, we -- we don't have a

1 specific plan for the sign, so another feature and  
2 benefit to the historic zone overlay is that you will  
3 have another -- you will have a look at that --

4 MR. BROOK: (Inaudible) --

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

7 MR. BROOK: Good. Thank you.

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

11 MR. BROOK: I'm done.

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

14 MS. STABLER: Correct.

15 DR. BENSON: Okay.

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

19 DR. BENSON: Yes.

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

21 DR. BENSON: But just one --

22 MS. STABLER: And -- and -- and -- and  
23 there may well be something on -- on the structure as  
24 well as the ground sign, but I -- I don't know that

1 (inaudible) right now, it's just we're planning on a  
2 ground sign and, of course, we know that would come  
3 back through this Board for approval.

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

6 MS. HATCH: I am not seeing any raised  
7 hands. Anyone on the Board? Last call -- questions?  
8 I am seeing none.

9 DR. BENSON: All right. We ask --

10 UNKNOWN: (Inaudible).

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

13 MS. STABLER: (Inaudible).

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

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

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

22 MR. BELL: All right. Thank you very  
23 much, Madam Chair. Bill Bell, New Castle County  
24 Councilman for the 12th District. I want to begin by

1     thanking each and every one of you on the Board for  
2     the outstanding commitment and job you do, especially  
3     during these very difficult and challenging times --  
4     uncertain times. I appreciate the opportunity to  
5     speak before the Board and commend you for continuing  
6     your business with the virtual process. As Wendy had  
7     said, I just wanted to make comment as the district  
8     councilperson that I appreciate and compliment the  
9     applicant as well as their legal counsel in working  
10    closely with our office and making a formal  
11    presentation before the adjacent community's annual  
12    meeting -- Summit Pond. The presentation was very  
13    detailed as -- as -- as it is being before the -- the  
14    Historic Review Board this evening and was received  
15    quite well. In addition, I did take the opportunity  
16    of invitation to take a tour of the historic property  
17    and I believe that it -- its characteristics and  
18    everything truly fits the -- the process of -- of a  
19    historic overlay protecting its historical value --  
20    significant historical value to New Castle County.  
21    And I -- I would just ask the -- the Board for its  
22    consideration moving forward with the historic overlay  
23    and once again compliment the applicant for its hard  
24    work.

1 DR. BENSON: Thank you, Councilman.  
2 Betsy, the next person who wanted to speak in favor?

3 MS. HATCH: All right. All right.  
4 County Councilwoman Dee Durham is also in favor -- let  
5 me unmute. I am trying -- oh, are you there?

6 MS. DURHAM: I -- thank you. I just  
7 wanted to commend Wendy and the property owners for  
8 undertaking the step of the H zoning for this  
9 property. What a beautiful historic property it is  
10 and it's great to see a property like this find a -- a  
11 new way to find a new life. And I -- I also just  
12 wanted to mention -- Betsy, you probably know more  
13 about this than I do, but the point Wendy made earlier  
14 about the parking limitations. Betsy and the Land Use  
15 Department have been working with us on -- and Wendy,  
16 I've -- I've talked with Wendy about this as well in  
17 general terms, but specific to the parking, we are  
18 working on an ordinance that will address a whole  
19 bunch of different things regarding historic  
20 properties in the county code and one of those things  
21 regarding adaptive reuse would allow adaptive reuse  
22 properties to -- I think -- have a 20 percent  
23 reduction in required parking. So I just wanted to  
24 mention that. I think obviously, this project is

1 maybe a little ahead of the curve of -- since that  
2 ordinance hasn't been introduced yet, but it's  
3 something to bear in mind as this project moves along  
4 for its approvals, that we do hope to have those  
5 parking restrictions eased in general for historic  
6 adaptive reuse projects.

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

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

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

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

18 MR. REYNOLDS: Yes, can you hear me?

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

21 MR. REYNOLDS: Yes, my name is Mark  
22 Reynolds (ph) and with my wife, Ashley (ph), we are at  
23 904 Rock Lily Lane. It's the property that is  
24 adjacent to the southeast. So if you're looking at



1 the drawing of the property, we are at the right top  
2 side.

3 DR. BENSON: Uh-huh.

4 MR. REYNOLDS: So our -- our concerns  
5 are is this always going to be a low-density office  
6 and what prevents a high-density company from -- from  
7 coming in? Another issue that we have is that's where  
8 our property is adjacent, there really isn't very good  
9 coverage. To put it in a context, we can see clearly  
10 the back of the house and all the outer buildings, the  
11 garage, the pool house, the secondary garage, and the  
12 little shed. While there are trees there, the trees  
13 really don't have coverage on the bottom for -- I  
14 would say the bottom 10 to -- to 15 feet. So it --  
15 you know -- that's -- that's a concern for the privacy  
16 of -- of our property. I can't speak for the other  
17 property owners -- what they have there, but I know  
18 that we have clear view of everything that goes on --  
19 you know -- there and then they would be able -- any  
20 customers or -- or workers there would be able to see  
21 in our back yard. For clarification, it is our  
22 understanding that the pool has already been removed,  
23 so I don't know what the plans are for that. But the  
24 big concern is is where the parking lot is going to

1 connect to the existing driveway, any cars that are  
2 coming out there with their lights on will essentially  
3 shine their lights into our property and into the back  
4 of our house. So are there any plans on putting up  
5 some sort of screening to prevent that from happening?  
6 Are there any plans so that the integrity of our  
7 property and our privacy stays? And I -- I think  
8 that's everything --

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

11 MR. REYNOLDS: Yes.

12 MS. HATCH: Chairwoman Benson --

13 DR. BENSON: Yes.

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

20 DR. BENSON: Thank you.

21 MS. HATCH: Yeah, and -- and during the  
22 applicant's rebuttal period, they might be able to  
23 speak a little more in detail to the -- the plans for  
24 that.

1 DR. BENSON: Okay. But that will come  
2 back to us; is that correct?

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

6 DR. BENSON: Yes.

7 MS. HATCH: -- it will --

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

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

15 DR. BENSON: Yes.

16 MS. HATCH: Okay.

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

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

21 MS. STABLER: Yes, I'm -- I'm here.  
22 Thank you. And thank -- thank you for the opportunity  
23 to respond. So and I -- I wanted to invite Mr. Mark  
24 and Ashley to please feel free to reach out to me

1 directly as a representative of the applicant to -- to  
2 discuss these -- these issues, but I'll try to address  
3 their concerns as best I can now. So obviously, the  
4 property is currently -- it -- it is residential.  
5 There is an existing driveway, there is a number of  
6 out structures including garages in the area -- in the  
7 proximity to the back. There is adjusting screening.  
8 Betsy, I don't know if you're able to show that one  
9 picture that shows that portion of the property to the  
10 rear. It is in -- in my view pretty well screened,  
11 but I can certainly understand from the other side,  
12 they -- that -- I think you just flipped it. Go back,  
13 yeah. No -- I think -- go -- go -- flip forward one.  
14 Yeah, so this is the area to -- to the back. Right  
15 there you can see -- I believe -- where the tree and  
16 the -- the shed are there, that is -- as I understand  
17 it the -- the perimeter of the property. (Inaudible)  
18 certainly could add some -- some -- some lower trees,  
19 but -- or lower bushes and -- and we can reach out to  
20 -- to -- to the neighbors with -- with respect to that  
21 issue. Having said that, there is an existing drive  
22 with the garages, et cetera. So the impact is -- is  
23 already there. We're not adding anything but an  
24 interconnection to -- to some additional parking. As

1 mentioned, there -- there -- there is indeed  
2 screening. There could be some additional screening  
3 added, so we'll -- you know -- we're open -- open to  
4 that as long as it's -- it's reasonable. I think our  
5 neighbors should get some comfort in knowing that --  
6 you know -- this historic structure -- even though  
7 (inaudible) what will it be in the future, it cannot  
8 be retail, at least in -- in the -- the code as it  
9 currently exists. And the types of uses that are  
10 interested in locating in these types of historic  
11 homes are just -- historically, they are not high-  
12 density, they're not high-traffic. And so we're  
13 pretty confident and -- and -- and the community  
14 should take comfort that we're not proposing a lot of  
15 parking to accommodate it and that says -- sends the  
16 message that this is not intended to be a -- a place  
17 where there are a lot of employees -- where we're  
18 stuffing people in -- even pre-COVID-19, that wasn't  
19 the plan. This is just not that type of use.  
20 Moreover -- you know -- it what you see on this plan  
21 is what you're going to get and that's the beauty of  
22 historic zone overlay because it really is protected  
23 and we're not going to take the house down, we're not  
24 going to build a -- a mansion that could be much

1 closer to -- to the homes in the surrounding area than  
2 -- than is the case here. So there's really some  
3 benefits because you know what you're getting and the  
4 Historic Review Board will have jurisdiction over the  
5 exterior of the building, the -- and other site  
6 improvements going forward and that should -- should  
7 give the community some real comfort because in the  
8 absence of that, there wouldn't be that kind of  
9 oversight and not architectural oversight as to what -  
10 - what could be here and not the buffers because it  
11 would be a -- under the NC21 zoning with the same  
12 uses, there's really no -- no requirement for any  
13 screening. So those are my responses. As indicated,  
14 we're still and -- and very much want to be a good  
15 neighbor. You know -- my -- my clients are principles  
16 of an organization of business that is well-vested and  
17 invested in this community and they're doing this  
18 because they -- they love the property, wanted -- want  
19 to be responsible about it and so I'm confident that  
20 we will -- you know -- continue to have constructive  
21 conversations and -- and be a good neighbor. So I  
22 look forward to connecting directly with Mark and  
23 Ashley.

24 DR. BENSON: Thank you. Anything else,

1 Betsy, on this one? I see you're scanning the skies.

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

4 DR. BENSON: Okay. John?

5 MR. BROOK: Yes, John Brook. Ms. --  
6 Ms. Stabler, one of the concerns that was expressed  
7 was about headlights at night coming into the back of  
8 the neighbor's property. Do you foresee the use of  
9 this building having much nighttime activity?

10 MS. STABLER: Absolutely not, but I --  
11 I don't want to disingenuous because of course -- you  
12 know -- and -- and sun goes down in the wintertime at  
13 4:00 or 5:00, so there -- there will be some impact,  
14 but there is not anticipated to be any -- you know --  
15 material night use of this property. It's a -- it's a  
16 9:00 to 5:00 type operation. That doesn't mean there  
17 won't be occasional and that does mean in the  
18 wintertime, there would be -- you know -- cars going  
19 in and out, but it's -- it's not -- there -- not  
20 significant.

21 MR. BROOK: Thank you.

22 DR. BENSON: Karen?

23 MS. ANDERSON: Yes, I -- I just wanted  
24 to note that on the drawing there were photos taken

1 from the rear and just looking at the site plan, so  
2 that we're all oriented in the same way, to the left  
3 is north and to the right is south. The photos are  
4 from the -- I believe -- east which is that rear yard  
5 area. The area that the -- that Mr. and Mrs. Reynolds  
6 were referencing is to the south and along that -- and  
7 that's the -- along the right side of the property  
8 which I -- I'm not sure -- you know -- how detailed  
9 this landscaping plan is, but it does look sparse  
10 there. And I believe that is the area that is  
11 adjacent to the Reynolds' property that there is a  
12 little bit of concern about. And it -- just looking  
13 at it as how far as how it's been shown -- although I  
14 understand this is not a -- a submitted landscape plan  
15 --

16 UNKNOWN FEMALE: (Inaudible).

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

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

22 MS. HATCH: Bear with my me.

23 DR. BENSON: (Cross talk) --

24 MS. HATCH: My internet connection has



1 been going in and out for just the past minute. You  
2 were discussing the -- the property line that when  
3 looking at the screen, is located on the right side?

4 DR. BENSON: Upper right, yes.

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

7 DR. BENSON: Yes.

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

10 DR. BENSON: Thank you. Anything else?

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

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

16 MS. STABLER: Thank you.

17 DR. BENSON: -- I hope. All right.  
18 Would you read in the next application?

19 MS. HATCH: All right. All right.  
20 Bear with me while I switch gears. One moment. Our  
21 next application is Application 20- -- 2020-0127-S:  
22 305 -- 3015 Duncan Road. This is located on the north  
23 side of Duncan Road, east of McKennans Church Road.)  
24 (Tax Parcel 08-032.10-130.) Mill Creek Hundred. This

1 is Minor Subdivision Plan of a 2.88- -- 88-acre parcel  
2 containing a historic dwelling constructed 1870 and  
3 stone ruins into four lots. NC6.5 Zoning. Council  
4 District 9. And then let me (inaudible) Bill Rhodunda  
5 (ph) is going to be representing the applicant this  
6 evening. Bill, are you there? I see -- I see he's  
7 muted. I'm trying to unmute him.

8 MR. RHODUNDA: (Inaudible) unmute me  
9 there.

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

11 MR. RHODUNDA: Okay. Excellent.

12 DR. BENSON: Please proceed.

13 MR. RHODUNDA: Good evening, members of  
14 the Board. I'm here on behalf of the property owners  
15 at 1315 Duncan Road. The owners are Kathleen and Mark  
16 Thone(ph). They purchased the property back in 2014.  
17 As you can see from the photographs that we provided,  
18 have done a really nice job of maintaining this  
19 property. They first contacted me months ago. I went  
20 out to the property, viewed the property, and I  
21 explained to them what their options are for  
22 subdividing this 2.8-acre parcel into four parcels. I  
23 explained that it had a variety of options including -  
24 - you know -- potentially the demolition permit of

1 some of the -- some of the structures on the property,  
2 but they made it very clear what they wanted to do was  
3 to -- you know -- keep the structures that are on the  
4 property and therefore they did not file a demolition  
5 permit. What they're seeking to do is to carefully  
6 subdivide this property into four lots. As mentioned,  
7 the zoning is NC.6 -- NC6.5, which is 6500 square foot  
8 minimum lots. These lots would -- that are being  
9 proposed range from 15,000 square feet, which is more  
10 than twice the size, to 42,000 square feet which is  
11 much, much larger than the minimum requirement is. So  
12 these four lots are -- would be considered quite large  
13 lots. In terms of the buildings -- in reviewing the  
14 buildings, I would call them interesting. I'm not  
15 sure that they meet -- I don't believe they meet the  
16 standards for historical structures, but I think they  
17 do meet the standard of being interesting. They were  
18 in the Yearsley family and I think Betsy has probably  
19 distributed information on the Mill Creek Hundred  
20 history blog that outline the history of the property  
21 and the Yearsley family that lived on the property.  
22 That article indicates that it wasn't a high-profile  
23 family, but nevertheless, they're a family that had  
24 this property -- you know -- for many years.

1           So what I'd like to do is take a look  
2 at the front of the property for a moment. Betsy, if  
3 you could turn to the Duncan Road view of the property  
4 -- the photograph.

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

7           MR. RHODUNDA: (Inaudible) for Duncan  
8 Road. Maybe you need to flip to that first slide  
9 again. And we have some (inaudible) -- some other  
10 photos that we'll submit to the Board to show the view  
11 from Duncan Road because I think it's a real  
12 interesting view. If we could go to the overhead shot  
13 that shows the -- there we go. So if you're standing  
14 on Duncan Road and you're looking at this property --  
15 2.8-acre property, it -- what the clients want to do  
16 is preserve that appearance and I think what this plan  
17 does is preserve that appearance. The house is  
18 somewhat visible from Duncan Road, but it's also some  
19 nice landscaping along that whole frontage on Duncan  
20 Road. The other thing you see from Duncan Road is the  
21 barn structure that you saw, which I think is very  
22 cool and my clients want to maintain that barn  
23 structure because it has a very nice appearance to it.  
24 And my concern about that barn structure is the

1 potential safety issues of it crumbling further  
2 because it's quite tall, but nevertheless, the -- the  
3 -- the goal here is essentially when people are  
4 traveling down Duncan Road is that they will not see -  
5 - essentially they're not going to see the three homes  
6 that are proposed on the proposed lots because as you  
7 can tell from the site plan, there's a new home  
8 proposed in the back left-hand corner, in the back  
9 right-hand corner, and then behind the barn structure.  
10 So essentially, view from Duncan Road is maintained.  
11 In fact, looking at our site plan which is now showing  
12 on the screen, you can see that essentially the  
13 development of this lot is in the back half of the lot  
14 and then these structures are being maintained -- that  
15 exist on the site now -- we'll go through those  
16 structures in a moment, but looking at the site plan  
17 you'll see on the left-hand side the home. It does  
18 date back to 1870, but as I mentioned earlier, it  
19 doesn't really fit the historical criteria because of  
20 multiple additions over the years and the changes to  
21 the windows, siding, and roofing. But nevertheless,  
22 it's a interesting structure, has a interesting front  
23 porch, and the client's not proposed any changes to  
24 the, to that structure. And then if you go further

1 behind that structure, to the left you'll see one  
2 proposed lot, if you go to the right, you'll see one  
3 proposed lot in the back corner, and then one proposed  
4 lot behind the barn remnants that abut Duncan Road.  
5 Betsy, if you could slide to the next slide, please.  
6 Or actually go to the first picture slide. Great.  
7 That -- that's the first one. Thank you.

8           So as the house is a very interesting  
9 house certainly. The first picture you have here --  
10 also the front of the house that you see. I believe  
11 that faces Duncan Road and nothing is going to change  
12 there. My client is a landscape -- landscaper, so he  
13 loves landscaping, he loves trees, he's trying to make  
14 sure the property stays professionally landscaped at  
15 all times. I will forward to you the photographs from  
16 Duncan Road because there's a lot of nice landscaping  
17 that abuts Duncan Road and I'd like you to -- I want  
18 to make sure you have all that -- all - make sure you  
19 have it so you can see how nice it looks across the  
20 front of the property. And really, almost all the  
21 buildings are shielded pretty nice behind that  
22 landscaped green. But if we could go to the next  
23 slide. Okay. The next slide is the side of the  
24 house. Again, it's the porch that wraps around, so

1 the front of the house -- there is an addition on the  
2 left-hand side of that photograph. You have new  
3 roofing, new windows there, but the property has been  
4 nicely maintained by my clients and they spent a  
5 substantial amount of money doing that work. The next  
6 photograph is the other side of the house which has a  
7 significant addition as well with -- like a sunroom  
8 and greenhouse were built on that side of the house.  
9 And then the next photograph is the other side of the  
10 house.

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

1 enclosed barn or workshop at some point.

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

17           So essentially before the Board for  
18 consideration is a site plan and the pictures of these  
19 buildings that I've shown you -- none of which are  
20 going to be demolished -- they're all going to be  
21 maintained. It's a 2.8-acre parcel. Only 24 percent  
22 of the property is going to be disturbed out of the  
23 2.8 acres. So that 24 percent is essentially the  
24 driveway to come in. It's also for the homes that are



1 being proposed on the property. It's a little bit  
2 hard to tell on a small plan. You probably need to  
3 see a bigger plan where we can outline for you the  
4 areas not to be disturbed and you can see lines that  
5 wiggle all the way around the buildings and some of  
6 the trees that are specimen trees to protect them from  
7 any -- any damage. So essentially you're looking at a  
8 property where only 24 percent is going to be  
9 disturbed which is quite minimal. And if you follow  
10 the lines of limits of disturbance, you can see how  
11 it's protecting everything on the front of the  
12 property and as you go back, it just basically creates  
13 an avenue to access the -- access the four lots. It's  
14 sort of interesting the way the new homes would be  
15 blended into the existing structures that will not be  
16 demolished here.

17           So I think it's a very ambitious plan.  
18 I think it's -- in -- in a way that -- trying to  
19 maintain all this rather than just going the easy way  
20 out, which would be just to get a demo permit and have  
21 a clean slate. You know -- it's never been their  
22 intent. Their intent has been, "Let's keep these  
23 buildings here, let's keep the front protected." I've  
24 discussed this matter with the Thones on numerous

1 occasions and one thing that they asked me to convey -  
2 - which we will do in our next plan -- which I think  
3 just further improves this plan -- is that if you're  
4 looking at the site plan that's on the screen right  
5 now, the access to the current house is on the left-  
6 hand side of the property. There's another access  
7 which is a dark gray going to the house behind the  
8 barn remnants. The Thones have basically said, "Let's  
9 just remove that entranceway completely so that they  
10 don't need to disturb any of the landscaping along  
11 Duncan Road." And then essentially people would be  
12 going to the proposed home behind the barn structure -  
13 - they would come in the existing entranceway and just  
14 swing around to get to their home rather than having a  
15 direct access to Duncan Road. So by -- so essentially  
16 that dark gray area that's on the plan that shows as a  
17 driveway and access way, all of that would be removed  
18 and that area -- at least the part closest to Duncan  
19 Road would certainly not be disturbed. You may need  
20 to do something in the back near the house for the --  
21 for the driveway, but essentially that access would be  
22 removed and that would allow for that -- that would  
23 allow for the vegetation to stay in place because it's  
24 a very nicely landscaped throughout the entire

1 property, particularly the front, and none of that  
2 would be disturbed. So essentially the concept here  
3 is maintain things the way they are, work around them  
4 with three new lots that far exceed the zoning  
5 requirements. This plan also requires no variances to  
6 be approved. So the idea was to stick within the code  
7 and blend this together into a project that maintains  
8 the integrity of this -- this -- these homes.

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

24 DR. BENSON: Thank you. Thank you very

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

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

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

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

15 DR. BENSON: All right. Mr. Brook?

16 MR. BROOK: Madam Chair, you stole some  
17 of my thunder. I was at -- I had questions about the  
18 --

19 DR. BENSON: Sorry, John.

20 MR. BROOK: -- driveways as well. And  
21 I have to tell you, Mr. Rhodunda, I appreciate your  
22 clients wanting to preserve the properties that are on  
23 -- that are on this -- this piece of lane, but I  
24 really have a lot of difficulty trying to figure out

1 where these lot lines are. When you -- when you do  
2 something to show the driveways, I would appreciate it  
3 -- being able to see what your proposed lot lines are  
4 going to be.

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

7 MR. BROOK: Thank you.

8 DR. BENSON: Barbara?

9 MS. SILBER: Hi, Barbara Silber. This  
10 is kind of a complex property for various reasons.  
11 You mentioned that while the buildings are all extant  
12 and the -- the stone remains are all extant, but you  
13 mentioned that not necessarily that they are  
14 interesting. However, I -- I would argue that the  
15 opposite. In many ways, this property has a long  
16 history of occupation and also the property itself --  
17 you know -- has -- had a history of -- of being a -- a  
18 -- a craftsman's workshop area -- a blacksmith for  
19 example is one -- one example of -- of the historic  
20 use of this property. What I think about this  
21 property as well, the stone ruins are extant and  
22 definitely do warrant documentation, I think that the  
23 property has a -- a historic context and most  
24 importantly, the occupational and functional usage of

1 this property is of interest. One of the things is is  
2 that while they are, the ruins are extant, they also  
3 have -- that means that the archaeological integrity  
4 is probably also very good with these -- these  
5 buildings and while we have several buildings that the  
6 functional usage and purposes of those buildings are  
7 somewhat vague, I think the archaeological examination  
8 or even -- you know -- historical analysis of these  
9 buildings will be able to shed much insight on -- on  
10 what this property was used for, who lived there, and  
11 -- and the -- the various occupations that were  
12 performed on this property. So I -- I would think  
13 that in this case -- you know -- a historical and  
14 cultural resource analysis is definitely warranted  
15 prior to the -- you know -- physical division as well  
16 as any future construction on this property because I  
17 think that will be the one shot to get any information  
18 about how this piece of property was used and how the  
19 -- the occupants and owners of this property -- their  
20 roles within that community that -- of -- of the  
21 Duncan Road area. I -- you know -- Duncan Road has a  
22 lot of historic buildings and various properties have  
23 been identified on historic mapping for various  
24 purposes. I think there's a wheelwright shop, that

1 there's a store in one place, and this one is actually  
2 literally labeled as a blacksmith shop on the historic  
3 mapping and I think that is -- you know -- those types  
4 of analyses and historic studies shed a lot of insight  
5 on the -- the historic context of -- of a geographical  
6 region and how community development operated. And I  
7 think in this case, this is one property that does  
8 warrant some careful analysis both of -- of the above  
9 ground as well as potential below ground resources  
10 that this -- this actual plot of land may contain.  
11 And I think that needs to be taken into consideration  
12 in any -- any future development or activity on this  
13 particular parcel. And I think that's -- that's --  
14 that's all I have to say. I know that right now  
15 things are very premature, but I do notice that at a  
16 minimum, I think the cultural resource inventory  
17 record for this property probably warrants an update.  
18 I think the -- I think, Betsy, you gave us the -- the  
19 CRS form from the -- that's currently on file at the  
20 HPO, correct?

21 MS. HATCH: Yes.

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

24 MS. HATCH: Correct.

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

10 DR. BENSON: Thank you. Karen?

11 MS. ANDERSON: Yes. My overall  
12 comment, based (inaudible) to Barbara's, I do believe  
13 that this property and the buildings are on it  
14 including the stone remnants definitely warrant  
15 additional cultural resource survey for this area and  
16 -- and (inaudible) here and have some documentation of  
17 what is there right now. I know that some photos were  
18 taken, but it would be nice to have some -- some kind  
19 of professional documentation of everything prior to  
20 the project getting underway. So that was one comment  
21 and then the other comment is in laying out the --  
22 looking at the exploratory plan, I believe -- so there  
23 -- it looks like one, two, three, four lots are being  
24 carved out. However, on Lot 2, they're, they're using



1 the existing driveway to access the new Lot 3 and  
2 according to the current presentation, there will be a  
3 change to the layout so that that driveway will also  
4 be the access point for Lot 4. However, that driveway  
5 is almost 99 percent on Lot 2. So if I own Lot 2 and  
6 I -- I decide to tear up that driveway and I don't  
7 know -- do something else, then the people that are  
8 owners of Lot 3 and 4 will not have access to their  
9 property because of the way that it is laid out. So  
10 I'm not -- I'm not sure (inaudible) -- you know --  
11 what happens with that. Either that existing driveway  
12 is going to have to be deeded over so that it becomes  
13 a -- a public or a -- something that's not necessarily  
14 owned by the person in Lot 2 and if that does happen,  
15 the way that it is laid out, it bisects Lot 2. So now  
16 part of my property will be on one of the side and  
17 part of my property will be on the other side of the  
18 road. I just see the -- there's some logistical  
19 issues with the access into the property and the --  
20 the ability for the other lots to have access  
21 (inaudible). Thank you.

22 MR. RHODUNDA: No problem. And we will  
23 -- we will -- I will address that when we send back  
24 the plan with the revised access because we would have

1 to enter to cross-access easements to do that -- to  
2 have one access way, but in the end, I think it's  
3 worth it to have one access and preserve the Duncan  
4 Road view that we have right now with the really nice  
5 unique landscaping and the historic structures by not  
6 having that secondary access. So we will address  
7 that, however, in our follow-up plan to understand how  
8 we're going to be able to facilitate that.

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

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

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

16 MS. HATCH: I'm seeing none.

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

20 MR. BROOK: A letter.

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

1 MS. HATCH: Uh-huh. Sure. One moment.  
2 Let me pull it up here. Okay. The letter was from an  
3 adjacent property owner on behalf of -- on behalf of  
4 her mother who lives at 3017 Duncan Road. She was  
5 voicing some concerns, so she wrote: "To whom it may  
6 concern, I am a concerned neighbor who lives at 3017  
7 Duncan Road, which is adjacent to the property under  
8 discussion. I have lived at this residence since 1976  
9 when my father, Norman McAllister (ph), built this  
10 house. He was a contractor that purchased the  
11 original farmland from the Yearsley family and built  
12 the homes that now sit on Yearsley Drive and Yearsley  
13 Place. The historical structures that still sit on  
14 the property at 3015 Duncan Road have been here for  
15 over 150 years. I'm not certain that they will be  
16 demolished in this plan to divide the 2.88 acres into  
17 four lots, but it would appear that is the case. I do  
18 not believe these historical buildings should be  
19 destroyed merely for the purpose of selling the land  
20 and adding four more homes. These buildings are  
21 landmarks of the Mill Creek Hundred area and should be  
22 preserved. I hope you consider these remarks when  
23 making a decision on the matter." From Ellen Willard  
24 (ph).

1 DR. BENSON: Thank you. Mr. Rhodunda,  
2 do you -- do you want to answer that? I believe you  
3 have.

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

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

21 MS. HATCH: Sorry about that. No.

22 DR. BENSON: Thank you.

23 MS. HATCH: Uh-huh.

24 DR. BENSON: All right. Then, thank

1 you. I think that completes this application. Thank  
2 you, Mr. Rhondunda. We look forward to see the new  
3 materials.

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

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

9 MS. HATCH: Sure thing. All right.  
10 The last item on the public hearing agency is  
11 Application 2020-0285: 3200 Mill Creek Road. Located  
12 on the south side of Mill Creek Road, approximately  
13 0.46 miles east of the intersection with Stoney Batter  
14 Road.) (Tax Parcel 08-032.00.) Mill Creek Hundred.  
15 This is a demolition permit of a single-family  
16 dwelling constructed circa 1900. S Zoning. Council  
17 District 9. And then this is a county-owned property  
18 and we do have Bob Murrell (ph) on the line. Bear  
19 with me, I'm trying to get him speaking ability from  
20 the -- the Parks Office.

21 DR. BENSON: Yes.

22 MR. MURRELL: Good evening.

23 DR. BENSON: Good evening. Are you  
24 going to walk us through this?

1 MR. MURRELL: (Inaudible).

2 MS. HATCH: Are you there?

3 MR. MURRELL: Yes.

4 MS. HATCH: Okay.

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

11 On March 14, 2019, at about 8:30 in the  
12 morning a house fire was reported to -- to be at 3200  
13 Mill Creek Road. The house is owned by New Castle  
14 County. The fire resulted in the serious injury of a  
15 volunteer firefighter from the Minquas Fire Company in  
16 Newport as well as significant damage to our  
17 structure. The building is located again at 3200 Mill  
18 Creek Road outside of Wilmington, Delaware. It was  
19 building in 1910 according to New Castle County  
20 property records. It has approximately 2100 square  
21 feet of living space on two floors as well as a large  
22 attic and a small basement. The interior walls are  
23 masonry and wood (inaudible) for flooring. The  
24 interior walls are finished with plaster in the area -

1 - in the era it was built. The first floor consists  
2 of four main room, two either side of the central  
3 hallway and stairway. The second floor has four  
4 bedrooms. They are situated on each corner of the  
5 house and there's a bathroom in the center front of  
6 the house. The stairs continue from the second floor  
7 to a rather large attic area and basement stairs that  
8 -- that are located on the first floor.

9           At approximately -- so I had an  
10 opportunity and -- and it bears noting -- that the  
11 leasee of this house is a county employee and I've had  
12 an opportunity to interview him right after the fire  
13 was extinguished and this is what he was able to tell  
14 me. He and his wife were getting ready to go to work  
15 and they did some laundry and threw some towels in the  
16 dryer. There was a reason for that -- doing it early  
17 in the morning. They were leaving midday or in the  
18 early afternoon to attend and out of state funeral.  
19 So about a -- so at approximately 5:30 in the morning,  
20 the leasee had thrown these wet towels in the electric  
21 dryer located on the first floor. Just after about  
22 8:30 in the morning, golfers from the Delcastle Golf  
23 Course called 911 to tell them there were flames  
24 coming from the roof of the Mill Creek Road house.

1 The -- the fire elevated to a two-alarm and was deemed  
2 under control several hours later. The fire marshal's  
3 office was contacted to do an investigation and their  
4 preliminary finding -- and it turned out to be their  
5 finding at the end of their report -- that the dryer  
6 had an electrical malfunction. We kind of thought it  
7 might have been from the -- the -- from the exhaust  
8 pipe, but now it was an electrical malfunction. So  
9 since the -- the building was severely damaged by  
10 fire, it was boarded up and deemed a hazard by New  
11 Castle County.

12           It should be noted that the reason that  
13 we're asking since you -- you realize it happened in  
14 March of 2019 -- the reason we had to wait a little  
15 while was there was issues with the Volunteer Fire  
16 Association and some of their procedures on putting  
17 out that fire and the fire marshal's office requested  
18 that we leave it so they could do some internal  
19 investigation and I personally went out a couple times  
20 with the fire marshals so they could conduct their  
21 thorough investigation. So that -- that's (inaudible)  
22 today. We have -- since this has been boarded up and  
23 -- and caution tape all around it, we've had several  
24 incidents of trespass and theft as well as a stolen



1 car parked behind it several months ago. So at this  
2 point, we've had it looked at, we can't -- we cannot  
3 financially (inaudible). We put out a request for  
4 proposal for a demo. We awarded it to a company by  
5 the name of (Inaudible) -- I'm sorry, BrightFields,  
6 Incorporated and they were awarded the -- the  
7 contract. And I believe that Josh Sobleman (ph) is  
8 with us today from BrightFields to -- to tell you what  
9 the demolition project is going to look like.

10 DR. BENSON: Thank you.

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

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

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

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

21 MR. MURRELL: Josh, are you with us  
22 tonight? I apologize because Josh said he -- I talked  
23 to him earlier today and he said he would be on the  
24 call. I -- I don't know if he's having trouble

1 getting in or whatever. I -- we had talked to -- to  
2 Josh. We've sat down with him a few times. He has  
3 done -- he's going to do the asbestos -- I can't say  
4 the -- remediation and he's going to also do some -- I  
5 believe he's already conducted some soil tests with  
6 regards to this. We've also requested that when he  
7 does the -- the demolition, that we don't want any of  
8 the property or any of the structure put in the  
9 ground. (Inaudible) removed and he has agreed to do  
10 that and we will putting topsoil and grass in so it  
11 goes back to its natural look. And that's all I  
12 (inaudible).

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

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

18 DR. BENSON: All right. John?

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

24 MR. MURRELL: It -- it was -- it was

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

10 MR. BROOK: (Cross talk) --

11 MR. MURRELL: The other problem is --

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

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

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

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

23 MR. BROOK: Okay.

24 MR. MURRELL: -- inside of the house,

1 but that's about all that's left there.

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

3 MR. MURRELL: (Cross talk) --

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

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

8 MR. BROOK: Okay.

9 DR. BENSON: Karen?

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

16 MR. MURRELL: Well, I --

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

20 MR. MURRELL: We -- we certainly can  
21 look at that. That's (inaudible) and -- and you are  
22 correct. Fortunately or unfortunately, I literally  
23 live about a eighth of a mile up from the road, so I  
24 see it pretty much every day and I had been there when

1 the stolen car was there and just two weeks ago I was  
2 there with people trying to get in to see what they  
3 can -- to get. The rear of the property is completely  
4 gone. Again, the fire originated in the rear of the  
5 house and then it just bellowed into the second floor.  
6 So the front of the building -- I agree with you --  
7 the door and the windows probably could be salvaged  
8 and we could do that. That's not a problem, but our -  
9 - our intent is to take the building down and -- and  
10 to put in -- in a grass area and just leave it the way  
11 it is. Now the two (inaudible) that are out front  
12 will remain there and we'll keep it chained until we  
13 can grow the grass, but the (inaudible) that there.  
14 So I certainly (inaudible) windows and the door, we  
15 can certainly look at that, that's not a problem.

16 MS. ANDERSON: Thank you.

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

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

21 DR. BENSON: Perry?

22 MR. MURRELL: Yes, sir?

23 MS. HATCH: You -- I believe he's  
24 muted. Let's -- let's try and unmute him.

1 MR. PATEL: Can you hear me now?

2 MS. HATCH: Now we can hear you?

3 DR. BENSON: There you are.

4 MR. PATEL: It was the technology.

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

11 MR. MURRELL: So this was a situation  
12 where we had this property as a curatorship property.  
13 So when we put the bids, we really didn't get any good  
14 bids with people who had the right combination of  
15 financing and -- and skill set to keep the property  
16 going and the employee that we had submitted a very  
17 good proposal -- a renovation plan. So what we did  
18 was if he would spend \$50,000.00 in the first five  
19 years of the renovation -- he did a complete  
20 renovation plan and I can tell you right now, he was  
21 one year away from being in his fifth year of the --  
22 of the renovation and he guessed that he had about  
23 \$35-\$38,000.00 invested in his own money to again --  
24 to renovate the house and keep it the way it was. So

1 he actually kind of doubly lost. He lost everything  
2 in the fire -- or he and his wife -- I'm sorry, it's -  
3 - they're -- they're married. He and his wife lost  
4 everything in the -- in the fire as well as their  
5 \$38,000.00 -- approximately \$38,000.00 in sweat equity  
6 and real property. So -- I mean -- they redid the  
7 plumbing, they redid the electrical, they did -- I  
8 mean -- they were in the midst of doing room after  
9 room. So what they basically did was they lived in  
10 one room and fixed the bathroom and that's how they'd  
11 been living for several years doing each piece of the  
12 house as they could. So that's how we do -- that's  
13 how we were doing that. It's much like the Woodstock  
14 house over on Banning Park. That's a complete  
15 curatorship program. The husband and wife there, they  
16 did -- they spent over \$750,000.00 to renovate that  
17 house and they're currently living there. So for the  
18 -- for the -- the investment that they made into the  
19 property, they get a lifelong contract with New Castle  
20 County and they don't pay any taxes on it, so that's  
21 the beauty of the curatorship. The problem with the  
22 curatorship program is it's hard to find somebody that  
23 fits that criteria that one, they will be successful,  
24 and two, New Castle County will be successful. But

1 that's -- that's how that situation was with our  
2 employee. He was going to be there five years, make  
3 that investment, we were going to have him pay rent in  
4 the sixth year, but unfortunately, we never got there.

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

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

12 MR. PATEL: Okay. That's --

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

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

21 DR. BENSON: Any other questions from  
22 the Board? Hearing none. Thank you, Mr. Murrell.  
23 Betsy, is there anyone who wishes to speak about this  
24 project?



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

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

8 MR. DAVIS: So moved.

9 DR. BENSON: Second?

10 MR. PATEL: I second it.

11 MS. ANDERSON: Second.

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

14 MR. BROOK: I.

15 UNKNOWN MALE: I.

16 UNKNOWN FEMALE: I.

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

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

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

24 MS. SILBER: Yay.

1 DR. BENSON: Yes. And we will begin  
2 with roll call. I'm Barbara Benson.

3 MR. BROOK: John Brook.

4 MS. SILBER: Barbara Silber.

5 MS. ANDERSON: Karen Anderson.

6 MR. JOHNS: Steve Johns.

7 MR. PATEL: Perry Patel.

8 MR. DAVIS: John Davis.

9 MR. ZAHRALDDIN: Rafael Zahralddin.

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

13 MS. NORRIS: I'm still here.

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

16 MS. HATCH: Chris Jackson (ph) --

17 DR. BENSON: Oh, and Chris is there?

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

19 DR. BENSON: All right.

20 MS. HATCH: All right.

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

23 MS. HATCH: Sure. This is a business  
24 meeting conducted by the New Castle County Historic

1 Review Board. The purpose of this meeting is for the  
2 Board to discuss and evaluate the information and  
3 testimony received at the prior public hearing. As  
4 part of this meeting, the Board may choose to engage  
5 the applicants in additional discussion. The public  
6 is invited to listen, but not to speak; however, the  
7 public record remains open for submittal or  
8 (inaudible) comment. The meeting is recorded and  
9 transcribed.

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

13 MS. HATCH: It's Application 2020-  
14 02085. 3200 Mill Creek Road. (South side of Mill  
15 Creek Road, approximately 0.46 miles east of the  
16 intersection with Stoney Batter Road.) (Tax Parcel  
17 08-032.00-013.) Mill Creek Hundred. And this is a  
18 demolition permit of a single-family dwelling  
19 constructed circa 1900. S zoning. Council District  
20 9.

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

24 MS. HATCH: Sure.

1 DR. BENSON: -- say anything about all  
2 of it?

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

5 DR. BENSON: Yes.

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

14 DR. BENSON: Thank you. Discussion?

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

17 DR. BENSON: All right. John?

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

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

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

24 DR. BENSON: Fine. Any further

1 discussion?

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

4 DR. BENSON: Karen -- Karen Anderson.

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

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

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

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

15 MR. PATEL: I second that revised  
16 motion.

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

19 ALL PARTICIPANTS: I.

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

22 MR. BROOK: Is there any other --

23 DR. BENSON: I assume -- I assume we  
24 have no public comment?

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

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

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

22 DR. BENSON: Okay.

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

24 DR. BENSON: Well --

1 MS. HATCH: -- had his hand raised.

2 DR. BENSON: Yes, John?

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

5 DR. BENSON: Yes, we have.

6 MR. BROOK: I move we adjourn.

7 UNKNOWN FEMALE: (Cross talk) --

8 DR. BENSON: Is there a second?

9 MR. PATEL: Second.

10 MR. ZAHRALDDIN: Second.

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

13 MS. HATCH: Uh-huh.

14 MR. ZAHRALDDIN: It was.

15 DR. BENSON: All right. All in favor?

16 ALL PARTICIPANTS: I.

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

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

22 MS. SILBER: All right.

23 UNKNOWN: (Cross talk).

24 UNKNOWN: See you later.

1 MS. HATCH: Take care.

2 MR. PATEL: (Inaudible).

3 MS. HATCH: Yep.

4 UNKNOWN: (Inaudible).

5 MR. BROOK: (Inaudible).

6 UNKNOWN: You done?

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

8 done.

9 (Whereupon, this hearing concluded.)

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

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



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Mitzi Limburg  
Approved Transcriber

Dated: May 31, 2020