

BEFORE THE NEW CASTLE COUNTY
HISTORIC REVIEW BOARD
STATE OF DELAWARE

Department of Land Use
New Castle, DE

November 20, 2018

PRESENT

DEPARTMENT OF LAND USE

Elizabeth Caufield
Matt Rogers
Chris Jackson

HISTORIC REVIEW BOARD

John Davis, Acting Chair
John Brook
Steve Johns
Rafael Zahralddin

Colleen Norris

MS. CAUFIELD: All right we are recording.

MR. BROOK: I like to nominate John Davis to be our Acting Chairman this evening.

MR. JOHNS: Second

MR. BROOK: All in favor say aye.

. . . (Everybody said aye) . . .

MR. BROOK: Opposed. Nay. Congratulations again John.

MR. DAVIS: Thank you.

MR. ZAHRALDDIN: Everyone take one step backwards.

MR. DAVIS: Okay with that we'll call the Historic Review Board public hearing for New Castle County to order. It's November 20, 2018 and it is 5:16 by the meeting room clock. We'll start with roll call. I'm John Davis.

MR. BROOK: John Brook.

MR. JOHNS: Steve Johns.

MR. ZAHRALDDIN: Rafael Zahralddin.

MR. DAVIS: From the Department of Land Use we have Betsy Caufield, Matt Rogers, and Chris Jackson. And from the Law Department we have Colleen Norris. Will you read in the Rules of Procedure.

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

Following the reading of each agenda item the applicant and

their representatives will make a presentation not to exceed a total of 15 minutes. Board members may ask questions of the applicant at the conclusion of the presentation. The public will then be invited to speak in the following order: 1) Those who wish to speak in favor, 2) Those who wish to speak in opposition, and 3) Those who wish to offer general comments. Speakers are encouraged to be brief and to focus their remarks on historic issues.

So that everyone has an opportunity to be heard all speakers are limited to five minutes. Any speaker may ask the Board to hold the record open for submittal of written testimony if the time limit is not sufficient for their needs. The speakers are not permitted to debate the applicant but may ask questions that the applicant may choose to answer during his answer during his rebuttal period at the close of the public comment period.

All testimony is record and transcribed, therefore, all speakers must come forward to the table one at a time and state their name, address, and organization affiliation if any before offering comments. Random comments from the audience will not be recognized and the public is asked to respect the applicant's right to an orderly hearing. No recommendations or decisions will be made by the Historic Review Board at this hearing today. The Board will evaluate the information, testimony, and comments received here at a public business meeting to be held the first Tuesday of next month.

MR. DAVIS: Thank you. We have no old business so we'll move onto new business.

MS. CAUFIELD: Our first application this evening is

Application 2018-13418, 5714 Pyles Ford Road, located on the south side of Pyles Ford Road, southeast of the intersection with Creek Road, Christiana Hundred. It's a Demolition Permit to demolish a Colonial Revival Dwelling, Garage, and Shed constructed circa 1940. NC2a Zoning. Council District 2.

MR. DAVIS: Do we have the applicant here?

MR. SHERR: That would be me. Scott Sherr, 5798 Pyles Ford Road.

MR. DAVIS: Can you spell your last name.

MR. SHERR: S H E R R. And I have no presentation. I was basically told to show up here to see if anybody had questions for me.

MR. BROOK: But could you tell us what you really want to do.

MR. SHERR: Yeah okay. So I own the property behind this. My wife and I bought this property to prevent anybody from building on it because it was listed as subdividable and it had an old home on it that somebody was living in at the time that was very run down. We had County Environmental come in there after we bought the property and it involved the asbestos and then other mediation on anything that would take out the asbestos. We decided at that time that the house had too much work to try to maintain it to make it useable. So we decided that it would be best to tear it down. There are the three structures mentioned plus a barn on that property and we plan on fixing up the barn eventually.

MR. BROOK: So you want to tear down the house, the shed, and the garage?

MR. SHERR: The house and the garage and there is some sort of

weird odd structure that has no purpose sitting off to the side on one corner of the property.

MR. BROOK: Well that's called a shed usually.

MR. SHERR: It's not really even a shed.

MR. BROOK: No.

MR. SHERR: I'm not sure what it is.

MR. BROOK: Are these pictures of the property?

MS. CAUFIELD: Yes.

MR. BROOK: Okay.

MR. JOHNS: The barn is this structure the furthest away from the road all the way to the back?

MR. SHERR: The barn is the bigger structure in the center of the property.

MS. CAUFIELD: I can pull up the aerial.

MR. BROOK: Would you. How big a house is this?

MR. SHERR: It's about 1,100 square feet.

MR. BROOK: It's a small house.

MR. SHERR: Yes.

MR. BROOK: Okay. And it's greatly constructed.

MR. SHERR: It is. And whoever put in the air conditioner system there did it themselves, whoever was living there at the time and they didn't support it. They put it in the attic and didn't support it and all of the walls are starting to crack on the inside.

MR. BROOK: All right. They didn't talk to an engineer.

MR. SHERR: I'm going to guess not.

MR. BROOK: Yeah.

MR. JOHNS: Is there a second floor or is it?

MR. SHERR: There is a.

MR. JOHNS: Yeah there are dormers.

MR. SHERR: There's a basement and two floors. And a very small attic space.

MR. BROOK: Have you thought about rehabilitating this property and using it?

MR. SHERR: We did but we really don't want renters. We don't want to be in the rental business and then we have no use for it.

MR. BROOK: Could you help us understand that picture.

MR. SHERR: This is the house and there's a garage that sits under those trees right here. And then this is the shed structure. This is the barn that we are going to save.

MR. BROOK: Okay.

MR. SHERR: My house is actually back here in the woods. This is my driveway right now.

MR. BROOK: So you have no plans to rebuild on this site?

MR. SHERR: No. No. We already talked to the Delaware Nature Society. The property that we own is about 20 acres that's behind it and that's under a conservation easement the Delaware Nature Society. It's, Olivia DuPont created the property. And we bought this to prevent anybody from building in front of us. And we discussed with the Delaware Nature Society ways to make this more friendly to the environment and to just keep it as a wild life field.

MR. BROOK: Okay.

MR. SHERR: So eventually the barn will come into play somehow.

MR. BROOK: You have no plans for the barn at this point?

MR. SHERR: Not at this time no.

MR. BROOK: And you say you removed the asbestos?

MR. SHERR: Yeah we had County Environmental go in there and remove everything. They tested it and then removed everything.

MR. BROOK: What is the condition, the condition of the house? You mentioned the walls are cracking because of the air conditioning.

MR. SHERR: Yeah the walls are cracking and then the plumbing is ancient. The electricity is ancient.

MR. BROOK: Probably a 1940's vintage. A nine by two.

MR. SHERR: Yes it was a nine by two.

MR. BROOK: Yeah. So the plumbing, it would need all the utilities upgraded is that what you are saying?

MR. SHERR: Yes. Well obviously I don't want to be a landlord.

MR. BROOK: Okay.

MR. DAVIS: There's no one living in that house now?

MR. SHERR: The house no. Nobody has been in it since we bought it.

MR. DAVIS: How long ago was that?

MR. SHERR: Over a year now.

MR. DAVIS: Any further questions for the applicant?

MR. BROOK: Do we know who, did anyone of significance live in this house? Do you know who built it back in 1940?

MR. SHERR: No. I don't know who built it. The family that owned it originally is still one of my neighbors on one side that works for the Edler family.

MR. BROOK: What's the name?

MR. SHERR: Edler. E D L E R.

MR. BROOK: It's Edler.

MR. SHERR: Their grandparents apparently worked for the DuPonts as shoers.

MR. JOHNS: Shoers?

MR. SHERR: They shoed their horses.

MR. BROOK: Oh. I don't know this.

MR. JOHNS: I'm old but I'm not that old.

MR. SHERR: I can only tell you because Mr. Edler called them shoers.

MR. BROOK: Shoers. Okay. Well I don't know.

MR. SHERR: Okay.

MR. DAVIS: Thank you.

MR. BROOK: Thank you.

MR. DAVIS: Now we have public comment. Is there anyone from the public in favor of the project? Anyone opposed? Any general comments? Hearing none we move onto the next application.

MS. CAUFIELD: All right our second application for this evening is Application 2018-13193, 789 Blackbird Landing Road. It's located on the East side of Blackbird Landing Road, southeast of the intersection with Union Church Road, Appoquinimink Hundred. It's a Demolition Permit to demolish a dwelling constructed circa 1900 known as the J. Corbitt House. SR Zoning. Council District 6.

MR. JOHNS: Excuse me just before this starts I think I need to make the statement that the plans that have been distributed with this were made by my company. I don't think we have any involvement

in this enough for me to recuse myself. I just wanted to bring this up.

MR. BROOK: To be clear on these things.

MR. JOHNS: I think it's fair for me to state that. We did bid out the survey for the property for DNREC.

MR. BROOK: Thank you.

MS. COLE: Good evening. My name is Kimberly Cole, C O L E. And I'm an environmental program administrative with the Delaware Department of Natural Resources and Environmental Control with the Division of Climate, Coastal, and Energy. The address is 100 West Water Street, Suite 7B, B as in boy, Dover, Delaware 19904.

The project that we've brought before you today is part of an acquisition that the State has done to purchase an infill property which is what you have here. That the infill property is a piece that we bought. It's approximately 16 acres in size. On the property was dilapidated houses and I believe they have the photographs.

MS. CAUFIELD: Yes.

MS. COLE: As well. The area surrounding the infill piece is land that the State manages as part of its Delaware National Estuarine Research Reserve which provides public access, education, and research opportunities to help improve our estuarine habitats.

This parcel was infilled to complete that area. The house is in dilapidated form and in some cases falling down. We reached out to the State's Historical and Cultural Affairs Department to do an assessment of the property which is the letter that we provided as well to see if there is, it was good by their standards to demolish

it. And so that's the application that we are bringing you tonight.

MR. BROOK: Is this a picture of the property up here?

MS. COLE: Yes.

MR. BROOK: And could you explain that one, the bottom the center part is that the house?

MS. COLE: Yep that's the house right there. So on the second page this is looking at the end that's closest to the driveway area.

MR. BROOK: Okay. It appears to be a fairly large structure is it?

MS. COLE: Yes.

MR. JOHNS: Large and rambling.

MS. COLE: Yes.

MR. JOHNS: Is that the only structure you intend to demolish?

MS. COLE: No. We are demolishing all of the.

MR. JOHNS: All of the structures?

MS. COLE: Um um.

MR. JOHNS: And what do you, what are you using the land for?

MS. COLE: We are using the land for as part of the Delaware National Estuarine Research Reserve. So part of the mission is to.

MR. BROOK: What does that mean?

MS. COLE: Sure. We do education and research on our estuaries which is where areas where land and water are salt water and fresh water mixed. And so we use these areas for multiple reasons. It's for education.

MR. BROOK: Okay.

MS. COLE: And it's for research. So we do research on best

management practices that can then be used in other areas. And so some of the, so the areas just to the south of that house are lands that we had purchased previously that used to be the old KOA Campground in Townsend. That we had been restoring since its acquisition back in I think that was 2004 is when we purchased that property. And some new upgrades that allow for public access include that driveway area with ADA accessible parking and access to the trails that go through there marked with signs for people to learn more about the estuary.

MR. JOHNS: So this land is open to the public?

MS. COLE: It is land that is open to the public.

MR. JOHNS: And so the public would have access to this dilapidated house and it becomes.

MS. COLE: Yeah.

MR. JOHNS: A danger?

MS. COLE: Actually right now we have signs and things posted everywhere because that is our big fear.

MR. JOHNS: Right.

MS. COLE: As a big liability as it is basically already partially falling down.

MR. JOHNS: Right.

MS. COLE: It's been open to the elements outside for an extended period of time.

MR. BROOK: I assume that this is near marsh land of some sort.

MS. COLE: Ah yes further to the south that that connects to the Blackbird Creek.

MR. BROOK: And that's the land that where you are doing the

study and the education with it?

MS. COLE: Well yes, it's the transition and the area just to the north of this or just north in this view in my mind and we also own that part as well. But the land is open to the public. It is accessible. This particular, these particular parcels here are primarily accessible for trails. The areas across the street that is where we also allow hunting. And we totally separate those uses.

MR. BROOK: Do you know anything about the history of this property other than it was built in the 1900? Is this the one that's called the Corbitt House?

MS. COLE: Yes.

MR. BROOK: Who are the Corbitts? Were they people who just owned it or are they somebody that a family that's significant in Delaware?

MS. COLE: I'm sorry I don't have that information.

MR. BROOK: Okay. All right. Do you know if there are any architectural features or items in the house that are worthy of pulling out and saving?

MS. COLE: Not to my knowledge. The people from the Historical and Cultural Affairs reviewed what anything that was there and.

MR. BROOK: Did they note whether there was anything that should be saved?

MS. COLE: Not to my knowledge.

MR. ZAHRALDDIN: Is there a, is there a, what kind of foundation does it have? Is there a stone foundation or anything?

MS. COLE: I'm sorry I don't know.

MR. ZAHRALDDIN: Well when we they tear down things to the

extent that things can be left like in other words if the piercing was there and you can create kind of a garden atmosphere with the remaining, you know, stone foundation or something of that nature that's been done often times because it's probably more trouble than it's worth to try to haul it all out of there particularly in a place where the public is going to go to.

MS. COLE: Yeah.

MR. ZAHRALDDIN: So that's why we are asking these types of questions.

MS. COLE: Okay.

MR. ZARHALDDIN: Additionally trying to salvage anything that might be there whether it's materials or otherwise.

MR. JOHNS: If the foundation is left to show where the house used to be this becomes an indication on the ground that there was a house, a farmhouse, and a barn, you know, that people can see oh well that used to be a farmstead or, you know, it can become.

MR. ZAHRALDDIN: An educational piece.

MR. JOHNS: Exactly.

MS. COLE: Thank you.

MR. JOHNS: It's just an idea. We like to see that if people can do it it's a nice thing to do.

MS. COLE: Yeah. I think the intent, I don't know if the foundation is stone or not stone. But the intent was to demolish it.

MR. ZAHRALDDIN: Right. But demolishing it and then demolishing the foundation too and turning it into a meadow where you can maybe leave something instead are two different things. And I don't, I