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BEFORE THE HISTORIC REVIEW BOARD
NEW CASTLE COUNTY
STATE OF DELAWARE

SEPTEMBER 17, 2019
5:00 P.M.

Transcribed By: Angela M. D'Amico

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A P P E A R A N C E S

BOARD MEMBERS:

BARBARA BENSON

JOHN DAVIS

HARRY PATEL

JOHN BROOK

STEVEN JONES

KAREN ANDERSON

BARBARA SILVER

DEPARTMENT OF LAND USE:

BETSY CAUFIELD

CHRIS JACKSON

COLLEEN MORRIS

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I N D E X

	PAGE
APP. 2019-0403-S	7
BOARD DISCUSSION/QUESTIONS	10
APP. 2019-03091	17
BOARD DISCUSSION/QUESTIONS	19
APP. 2019-11372	22
BOARD DISCUSSION/QUESTIONS	23
APP. 2019-0358-S	30
BOARD DISCUSSION/QUESTIONS	39
ORDINANCE NO. 19-080	51
BOARD DISCUSSION/QUESTIONS	53
TAX EXEMPTIONS - HISTORIC PROPERTIES	66
BOARD DISCUSSION/QUESTIONS	67

1
2
3
4
5
6
7
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P R O C E E D I N G S

MS. BENSON: Good evening, everyone. I would like to call the New Castle Historic Review Board for September 17, 2019 to order. It is 5:05 by the meeting room clock. We'll begin with roll call. I'm Barbara Benson.

MR. DAVIS: John Davis.

MR. PATEL: Harry Patel.

MR. BROOK: John Brook.

MR. JONES: Steven (ph) Jones.

MS. BENSON: Thank you. We also have with us from the Department of Land Use, Betsy Caufield, Chris Jackson, and from the Law Department, Colleen Morris.

Betsy, could you read in the rules of procedure, please?

MS. CAUFIELD: Sure. This is a public hearing, conducted by the New Castle County Historic Review Board. The purpose of these hearings is to compile a record of relevant information regarding each application and how the proposed projects effect the county's historic resources.

To make the most efficient use of time at this hearing, the following rules of order are

1 established. Following the reading of each agenda
2 item, the applicant and their representatives will
3 make a presentation, not to exceed a total of 15
4 minutes. Board members may ask questions of the
5 applicant at the conclusion of the presentation.

6 The public will then be invited to
7 speak in the following order. One, those who wish to
8 speak in favor. Two, those who wish to speak in
9 opposition. And, three, those who wish to offer
10 general comments. Speakers are encouraged to be brief
11 and to focus their remarks on historic issues.

12 So that everyone has had an opportunity
13 to be heard, all speakers are limited to five minutes.
14 Any speaker may ask the Board to hold the record open
15 for submittal of written testimony if the time limit
16 is not sufficient for their needs. Speakers are not
17 permitted to debate the applicant, but may ask
18 questions that the applicant may choose to answer
19 during his rebuttal period at the close of the comment
20 period.

21 All testimony is recorded and
22 transcribed. Therefore, all speakers must come
23 forward to the table, one at a time, and state their
24 name, address, and organization affiliation, if any,

1 before offering comments. Random comments from the
2 audience will not be recognized and the public is
3 asked to respect the applicant's right to an orderly
4 hearing.

5 Recommendations or decisions will be
6 made by the Historic Review Board at these hearings
7 today. The Board will evaluate the information,
8 testimony, and comments received here at a public
9 business meeting to be held the first Tuesday of next
10 month.

11 MS. BENSON: Thank you. Next item is
12 old business. We have no old business, so we will
13 begin our agenda with new business. Would you read in
14 the first application, please?

15 MS. CAUFIELD: Actually, we had that
16 (inaudible).

17 MS. BENSON: Oh, that's right. I'm
18 sorry. The first item on your agenda, the applicant
19 is waiting for a lawyer and, therefore, we are going
20 to move to the application two, first.

21 MS. CAUFIELD: Okay.

22 MS. BENSON: Yes.

23 MR. JOLLEY: That's us.

24 MS. CAUFIELD: Oh, please come forward.

1 MR. JOLLEY: Just letting you know.

2 MS. CAUFIELD: We will need your names.
3 We will then have you make your presentation and while
4 you're doing that, I will note that Barbara Silver
5 (ph) has joined the board. And I'm just going to read
6 the application into the record.

7 MR. JOLLEY: Can I put this up on there
8 so you could see -- it's just a copy of the property
9 survey, just so (inaudible) see. Is that okay?

10 MS. CAUFIELD: It's Application 2019-
11 0403-S, 4601 North Market Street, located on the north
12 side of Market Street, east of the intersection with
13 Shipley Road. Brandywine Hundred, Tax Parcel 06-
14 139.00-017. This is an Exploratory Major Land
15 Development Plan for North Wilmington Self Storage and
16 a proposed demolition of a circa 1950 commercial
17 shopping center. CR Zoning. Council District 4.

18 MS. BENSON: Thank you. If you would
19 please begin by giving us your names and then make
20 your presentation.

21 MR. CARRAHER: Spencer Carraher.

22 MR. JOLLEY: Jonathan Jolley, with
23 Maser Consulting. Do you need my business address or
24 no?

1 MS. BENSON: No.

2 MR. JOLLEY: Okay.

3 MS. BENSON: Just names.

4 MR. JOLLEY: Okay. I have some photos,
5 as well, to pass out just so you could see the
6 existing condition of the facility.

7 So, as stated, we're proposing to --
8 you'll see the property in question right now is
9 located at 4601 North Market Street. The photos that
10 you see before you are the condition of the existing
11 retail building. It's been a variety of uses
12 throughout the years, Forman Mills, a former dry
13 cleaner. Various retailers were in there at different
14 points in time.

15 The facility was constructed in the
16 1950's and is in quite a state of disrepair, as you go
17 through the photos. The first page on the photo is a
18 front elevation of the blue sign. That's the face of
19 the building that you could see from North Market
20 Street. And it has a sort of a chamfered corner and
21 you could see that on the photos as you scroll through
22 the -- it's boarded up as we speak. It's in
23 disrepair. It has water infiltration through the
24 rooves, in the basement, and the rear elevation of the

1 building is not really painted. It's a -- well, a red
2 color on the bottom, but the top is just exposed
3 concrete block.

4 So, it's a typical older facility.
5 It's been modified a number of times of the years, it
6 appears. And the applicant would like your permission
7 to have a crew demolish this facility once we get
8 through our engineering approvals. Right now, we are
9 still -- we submitted for exploratory plan submission
10 for a new -- it's going to be a complete tear-down of
11 that building and all the pavement that is on that
12 site. Right now, it's like 65 percent impervious.

13 We're going to propose to remove the
14 entire facility, all the asphalt paving, and we are
15 going to restore a good portion of the property to be
16 cleared for a flood plain. The flood plain on the
17 property -- this is the old flood plain. There's a
18 newly revised FEMA flood plain that we just
19 resubmitted with, which does a serpentine type pattern
20 throughout this land.

21 So, all of the building that's actually
22 within the flood way right now, the flood plain -- I'm
23 sorry -- flood plain would be removed. So, we will be
24 increasing the green space on this site, typically

1 (inaudible) are in favor of. And the new facility
2 being concentrated in this portion of the property,
3 outside of the flood way and flood plain with minimal
4 parking, as you do not need a lot of parking for this
5 use. It's mostly just open and is for you to come in
6 and store your belongings in a shed.

7 We just received comments from staff
8 that we are conditionally approved for our exploratory
9 plan, which now let's us move to the next stage to
10 actually produce more detailed engineering documents.
11 So, we're still in the relative beginning stages of
12 that. That's really all I can say.

13 MS. BENSON: Thank you. Do we have any
14 questions? John?

15 MR. BROOK: How long has it been since
16 this has been actively used? Do you know?

17 MR. CARRAHER: It's been mostly
18 abandoned for a while, but I think that there was a
19 functioning liquor store as of maybe six or eight
20 months ago. But the owners -- the current owners
21 boarded up that use and now there is a chain-linked
22 fence around the outside, so it's secured. It's not
23 used at all now.

24 MR. JOLLEY: Yeah, if you look at

1 picture three, the third page, you can see in the
2 background -- actually, the rear elevation, the fourth
3 picture where there is a survey rod. You can see that
4 there is a chain-linked fence. They put a security
5 fence around the whole building for safety concerns,
6 people breaking in, and ...

7 MR. BROOK: But does this building abut
8 any historic properties?

9 MR. JOLLEY: Not to our knowledge. We
10 did a search --

11 MR. CARRAHER: I don't think so. I
12 think the -- yeah, there is a church on one side.
13 There is the Department of Labor, I think --

14 MR. BROOK: Right.

15 MR. CARRAHER: -- is to the south of
16 it. And --

17 MR. JOLLEY: (Cross talk).

18 MR. CARRAHER: Okay. Yeah. And then
19 to the north of it, I think, is open -- it's like an
20 undeveloped parcel.

21 MR. JOLLEY: And then south, across the
22 street, Market Street is all New Castle County open
23 space.

24 MR. BROOK: All right. So, you're

1 going to tear this building down and replace it with
2 some more buildings. Are they approximately the same
3 number in square footage?

4 MR. JOLLEY: It's an increased square
5 footage.

6 MR. BROOK: It's increased?

7 MR. JOLLEY: And we do need to go
8 before the Board of Adjustment for approval of that,
9 which we're scheduled to go before the BOA on the
10 27th, I believe.

11 MR. BROOK: That's --

12 MR. JOLLEY: 26th.

13 MR. BROOK: That's not -- that's not on
14 our (inaudible).

15 MR. JOLLEY: Right. But we are asking
16 for a little bit of room.

17 MR. BROOK: Do you know of any reason
18 why this property should be considered historic?

19 MR. JOLLEY: Not to our knowledge.

20 MR. CARRAHER: I believe it's the -- I
21 forget who I spoke to, but -- in the historic section
22 of the county. She said anything that's over 50 years
23 automatically gets --

24 MR. BROOK: Comes here.

1 MR. CARRAHER: -- (cross talk).

2 MR. BROOK: Right.

3 MR. CARRAHER: But, no, we don't --

4 MR. BROOK: You don't know the reason?

5 MR. JOLLEY: And we went before the
6 State Land Use Committee for the plus meeting and a
7 representative -- forgive me, I forget his name off
8 the top of my head -- they had done, I guess, a search
9 on their end a week before plus and they didn't find
10 anything of significance and they made no comments on
11 that at all. Their official comments will be released
12 probably within 10 more days. But they had no
13 comments whatsoever about the historic concern of the
14 property or the building.

15 MS. BENSON: Barbara?

16 BARBARA: Yeah. Does this property
17 have a basement?

18 MR. CARRAHER: Yeah.

19 MR. JOLLEY: Yeah, it does.

20 BARBARA: Yeah. So, when you -- for
21 your proposed plans to reuse this parcel, are you
22 going to strip off the existing asphalt and then
23 repave? Now, are you going to go below the fill line
24 or --

1 MR. JOLLEY: We're going to removing
2 the building and its structures and its foundation --

3 BARBARA: As well as the asphalt -- the
4 current asphalt.

5 MR. JOLLEY: Yeah. And --

6 MR. CARRAHER: And we won't be repaving
7 on most of the --

8 MR. JOLLEY: Certain -- most of that
9 upper, we'll say, northeast corner of the property --

10 BARBARA: Right.

11 MR. JOLLEY: -- and building will all
12 be green space now --

13 BARBARA: Okay.

14 MR. JOLLEY: -- because we're going to
15 -- the flood plain line -- the current flood plain
16 line that's shown there, sort of does a curve through
17 the building. That is actually changed and it goes a
18 little further back in some places and it wiggles
19 around. But when we worked with the Planning
20 Department staff, they wanted us to adhere to the new
21 flood plain line, which is going to be effective in
22 January. So, we did that now to avoid any revisions
23 down the line, even though it's technically not
24 effective until January.

1 BARBARA: Okay. So, basically, you'll
2 just tear off this asphalt and then landscape on top?

3 MR. JOLLEY: Yes. In the rear
4 portions, it's going to be more naturalized.

5 BARBARA: Yeah. Okay.

6 MR. JOLLEY: And then the front will be
7 any requirements for the land -- traditional
8 landscaping (inaudible) frontage and the parking lot.

9 BARBARA: Thank you.

10 MR. JOLLEY: Which is very minimal.
11 It's like four stalls or something.

12 MS. BENSON: Let me note for the record
13 that Karen Anderson has joined the Board and our
14 Preservation Planner, Ms. Caufield has a qualification
15 for us.

16 MS. CAUFIELD: Yeah. Just the question
17 was raised is, if there are historic buildings nearby,
18 the old Sears building where the Department of Labor
19 currently is located, it could potentially be historic
20 based on its age. An official evaluation hasn't
21 happened or occurred. But as I noted in the report
22 that was provided, there are a number of midcentury
23 commercial structures along this corridor.

24 MR. JOLLEY: Thank you.

1 MS. BENSON: Do we have any more
2 questions from Board Members? If not, thank you,
3 gentlemen. And you may step back. And, let's see, is
4 there anyone here who wishes to speak in favor of this
5 project? Is there anyone who wishes to speak against
6 this project? Is there anyone who wishes to speak for
7 general purposes, I guess, is what I'm supposed to
8 say?

9 If not, thank you. We will move on
10 now. Are we ready for the first one?

11 UNKNOWN FEMALE: They stepped out.

12 MS. BENSON: Okay. Well, we're not.
13 So, we're going to move right on to application three.
14 All right. Read it in, please?

15 MR. JOLLEY: Do we need to stay to the
16 end of the meeting or --

17 MR. BROOK: No.

18 MR. JOLLEY: Okay. So, we'll --

19 MS. BENSON: I'm sure you want to, but
20 --

21 MR. BROOK: You are more than welcome.

22 MR. JOLLEY: You'll send, I would
23 imagine, meeting minutes to the issue.

24 MS. BENSON: Yes, there will be.

1 MR. JOLLEY: Okay. Thank you very
2 much.

3 MR. CARRAHER: Thank you.

4 MS. CAUFIELD: All right. The next
5 application is Application 2019-03091, 1626 Old Coochs
6 Bridge Road, located on the west side of Old Coochs
7 Bridge Road, south of the intersection with Old
8 Baltimore Pike. Pencader Hundred, Tax Parcel 11-
9 014.10-002. This is a residential building permit to
10 construct a 1,386 square foot addition on a circa
11 1842, National Register listed structure, known as
12 Baynard Hall. NC21 Zoning. Council District 11.

13 MS. BENSON: Thank you. Would you give
14 us your names, please, for the record?

15 MS. BIEBER: My name is Robin Bieber.

16 MR. NELLIUS: My name is Robin Nelliuss,
17 N-E-L-L-I-U-S.

18 MS. BENSON: Thank you. And proceed
19 with your presentation.

20 MS. BIEBER: Okay. My sister has owned
21 this home for 30-plus years and, currently, I am
22 living with my -- our 93-year-old father in a home
23 that is not set up or modified to be accessible for
24 aging in place. So, what we're doing -- my sister and