

BEFORE THE NEW CASTLE COUNTY

HISTORIC REVIEW BOARD

STATE OF DELAWARE

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Department of Land Use  
New Castle, DE

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October 3, 2017

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PRESENT

DEPARTMENT OF LAND USE

APP. 2017-08793: P. 3-4

Valerie Cesna

APP. 2017-09534: P. 4-15

APP. 2017-11694: P. 15-19

APP. 2017-11564: P. 19-22

HISTORIC REVIEW BOARD

John Davis, Acting Chair  
Karen Anderson  
Steve Johns  
Barbara Silber

Marlene White



Department of Land Use

**AGENDA**  
**HISTORIC REVIEW BOARD**  
**Business Meeting**  
**Department of Land Use, New Castle Room**  
**87 Reads Way**  
**October 3, 2017**  
**5:00 p.m.**

ROLL CALL

MINUTES/TRANSCRIPTS – August 1, 2017 Business Meeting  
September 19, 2017 Public Hearing

OLD BUSINESS

P. 3-4 **App. 2017-08793: 2010 Choptank Road** (E side Choptank Rd., S of Bohemia Mill Rd., and N of Sharp Lane), Middletown (TP 13-017.00-093). Demolition permit application for the **S. Holton House**, listed in the National Register of Historic Places. CD 6.

NEW BUSINESS

P. 4-15 **App. 2017-09534: 1309 Cedar Lane Road** (W side Cedar Lane Rd., S of Boyd's Corner Rd.), Middletown vicinity (TP 13-013.00-246). Demolition Permit application for the c. 1840 **T.J. Houston House**, National Register eligible. CD 12.

P. 15-19 **App. 2017-11694: 2275 Pulaski Hwy.** (11-022.00-014), Glasgow Regional Park. Demolition Permit Application for five outbuildings at the "**The Hermitage**" historic farm complex. CD 11.

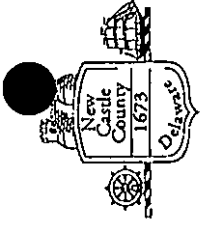
P. 19-22 **App. 2017-11564: 913 Ash Farm Way, Ashby's Place** (N side Bayview Rd., W of Ashby Dr. and East of Great Oak Dr.), Middletown vicinity (TP 13-014.30-425). Demolition permit proposes to demolish the foundation and relocate the **S. Higgins House** on a new foundation on the existing parcel. Listed in the National Register of Historic Places. CD 12.

P. 22-23 REPORT OF THE PRESERVATION PLANNER

N/A REPORT OF THE CHAIR

P. 23-26 PUBLIC COMMENTS

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DEPARTMENT OF LAND USE  
HISTORIC REVIEW BOARD

*Please print legibly!*

MEETING DATE: 10/3/2017

ATTENDANCE RECORD

NAME	MAILING ADDRESS	AGENDA ITEM(S) OF INTEREST
1. Bill Rhoads	1220 N. Minkil Street	2010 checked
2. Rick Woodin	111 PATRIOT DR. D, MIDDLETOWN 19709	<del>2</del> NORTH EAST CHURCH
3. Steve Reble	187-A Old Churchmans Rd, New Castle, DE 19726	Glasgow Heritage Park Dyviside/Jester Houses
4. _____	_____	_____
5. _____	_____	_____
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MR. DAVIS: So we'll call the Historic Review Board business meeting for New Castle County to order. It is 5 o'clock by the meeting room clock. My name is John Davis. And I think our first order of business is to nominate an Acting Chair for this meeting.

MR. JOHNS: I move to nominate John Davis as the Acting Chair for the meeting.

MS. SILBER: I second.

MR. DAVIS: All in favor.

. . . (Everybody said aye) . . .

MR. DAVIS: So lets start with roll call. My name is again John Davis. I'll be the Acting Chair for this meeting.

MS. ANDERSON: Karen Anderson.

MS. SILBER: Barbara Silber.

MR. JOHNS: Steven Johns.

MR. DAVIS: And with us tonight is Marlene White with the Law Department and Valerie Cesna with the Department of Land Use. We have meeting minutes to approve. Should we take them one at a time in case someone was not here for a meeting or someone has corrections to suggest? We need a motion to approve or amend from someone.

MR. JOHNS: I move we approve the August 1st transcript.

MS. ANDERSON: I second.

MR. DAVIS: All in favor.

. . . (Everyone said aye) . . .

MR. DAVIS: Do we have a motion for the September 19th?

MS. ANDERSON: I move we approve the September 19th transcript.

MS. SILBER: I second.

MR. DAVIS: All in favor.

. . . (Everybody said aye) . . .

MS. WHITE: You might just want to note for the record that minutes have been approved for August 1st and September 19th.

MR. DAVIS: Okay. The motion has been approved for both sets of minutes. Okay moving onto old business.

MS. CESNA: We have one application under old business. It's Application 2017-08793 located at 2010 Choptank Road outside of Middletown. It's a demolition permit application for the S. Holton House which is listed in the National Register of Historic Places.

I don't have any new information for you as yet. I was in touch with the applicant earlier today and they said they have not had an opportunity to work on producing any additional information as discussed at a previous hearing but they will be sending me something in writing shortly.

MR. DAVIS: Okay. Thank you.

MR. JOHNS: When will the nine month hold be up?

MS. CESNA: You know I forgot to bring those files with me.

MR. JOHNS: It's been about three months does that sound right?

MS. CESNA: They have been working on it.

MR. JOHNS: Four months or five months.

MS. ANDERSON: August 1st they were listed as new business.

MR. JOHNS: But when was the application submitted? It would have been before that. A month before that right?

MS. ANDERSON: It's an application number. Does it have a date on it? It's 6/9/2017.

MR. JOHNS: Is that the date, the date of application that when

the nine months starts?

MS. CESNA: Yes.

MS. ANDERSON: So at the end of those nine months they can just demolish the property without any consequence?

MS. CESNA: At the end of the nine months the Historic Review Board's ability to hold the permit expires and the County will issue the demolition permit.

MR. DAVIS: Shall we move onto new business.

MS. CESNA: The next item is Application 2017-09534 located at 1309 Cedar Lane Road. It's a demolition permit application for the circa 1840 T. J. Houston House which is eligible for the National Register of Historic Places.

Just as background I don't have any specific report for you. I just do want to remind you of what information you had received. The applicant had submitted an architectural report to you. I'll just bring up the cover of that and they provided a series of current photographs. So this is available to you during your discussion.

And just a reminder that I had provided you all with a written copy of your recommendation of your review of the land development plan. And in that recommendation you had said that you would prefer to see the historic house renovated in place and the parking lot redesigned around the building. That was your recommendation. After that the applicant decided to proceed with a demolition application and that's the application that was before you at your September 19th hearing and that's the application for you to consider today.

MR. DAVIS: And so our options for this are as they are with

any demolition application that comes before us we can release the hold or we can retain the hold.

MS. CESNA: Yes.

MR. DAVIS: Okay.

MR. JOHNS: Mr. Chair.

MR. DAVIS: John.

MR. JOHNS: I was not at the hearing for this application. I did read the minutes from the meeting. I just want to make sure I understand what happened. It appears that their application to actually develop the site has expired and withdrawn and they have no intention of resubmitting it at this time and they just want to demolish the house so that the land is free and clear. The house won't be there. That's kind of is that about right?

MS. ANDERSON: Yes.

MS. SILBER: Yes.

MR. DAVIS: That's a fair assessment.

MS. ANDERSON: That is correct. So our options are to maintain the hold and the hold would remain for nine months and then it at which point in time it will be released and they could get their demolition permit or we could approve the permit now.

MS. SILBER: Or we could make a recommendation.

MR. DAVIS: To release the hold.

MR. JOHNS: Right now there's a hold on it from the Historic Review Board.

MS. ANDERSON: Right.

MR. JOHNS: So we could just move to release the hold or we can move to keep the hold on although I'm not sure why we would do that

to be honest. I think, was there, I know there were some people had comments against the demolition I guess. I don't think they were offering any options.

MS. ANDERSON: I was not in favor of the demolition. This building is in very good shape and is a very good example of a building that should be preserved. It's got its entire exterior is just it's really, it's in excellent shape. So it's just very sad to see, to even understand that we have the most we can do is hold this up for nine months at which point in time they will be free to demolish it. I think there's something very wrong with that. I think this is the one that's actually listed.

MS. SILBER: This is listed correct? This is listed in the National Register.

MS. CESNA: It's not listed.

MS. SILBER: It's eligible.

MS. ANDERSON: It's eligible.

MR. JOHNS: Eligible.

MS. CESNA: It was evaluated for the National Register criteria.

MS. ANDERSON: This property was determined eligible for listing in the National Register of Historic Places. So it's been documented. It's in very good shape. It's got very good bones.

MS. SILBER: Does this house still have the ability for an adaptive reuse?

MS. ANDERSON: Yes. Yes. Definitely does. I mean I'm more inclined to be punitive and leave the hold on for the nine months. At least we are making some kind of statement to say we are against



that demolition.

MS. SILBER: Well well since it's eligible by demolishing it without any mitigation effort that would constitute a total loss. It would be a totally adverse affect. It would be gone. So just a straight demolition without any plan for a treatment or anything to minimize the adverse affects of a demolition will not happen if there is nothing done. So is there, is there a possibility that we could recommend a treatment measure or a mitigated measure? But I don't know what that would be exactly.

MS. ANDERSON: But the owners did not present any other options. So I'm not sure that that is something that we, I guess our recommendation then would be recommend not to demolish, recommend that the owners go back and come back to the table with some type of mitigating measures in order to present the situation that would be more acceptable.

MR. JOHNS: The way I see it is the owners don't see an economic and they don't have the economic ability to renovate the house and use it as an adaptive reuse. It doesn't work for them. It looks to me like they looked at it a few times and they were willing to spend quite a bit of money to build an exact replica on the site. They looked to kind of move it and it didn't work and it doesn't work for them. It costs them a lot of money to go through the process they went through for it all to fall through and so they are looking at it like a real economic loss just because this house is sitting on their property.

The historic preservation community would love to see this house kept where it is but we are not in a position to offer

alternative options and the historic preservation community hasn't offered any options either as far as I know. So I mean I think we are kind of in a tough spot here where we love to, you know, keep this building but we don't have any right to force somebody to keep it and maintain it. All we can do is hold it up for nine months. Unless the only reason to hold it up for nine months is if we think in those nine months some alternate will come about that will save the house and I'm not exactly sure what that would be. You know if I thought the historic preservation community was going to come up with an idea or an offer I'd be all for it but I don't see them doing that.

MS. SILBER: Valerie do you know has there been any formal photo recordation or any detailed documentation?

MS. ANDERSON: They submitted a drawing of what their idea of a replica was which the drawings were and that was one of my comments that there was a lot of information that was missing from the drawings to actually be able, there this is it, yeah, to actually to be able to look at these and say this is a replica of what is out there. It was, it was.

MR. JOHNS: We can request a documentation of the structures is that correct Valerie?

MS. SILBER: The existing. Right. Existing.

MS. ANDERSON: We asked for a little more details regarding this. That's what we asked for from them. Some of the windows. I think the entry. Just a couple of other things. There was an ask regarding the roof. This in itself this replica was not rejected. What we asked for was additional information on what the materials

and things like that were going to be. That's what we asked for. We did not reject this so.

MR. JOHNS: Valerie in the documentation to determine that it was eligible to be registered were there any plans of the house drawn up or any photographic record of the house maybe?

MS. CESNA: No. There was historic research and photographs. Exterior photographs of the house and the outbuildings. Later on the University of Delaware did measured drawings of a barn that was on the premises that is now gone but the house was not documented by any means of measured drawings.

MR. JOHNS: So we could request the measured drawings but we can't force them to provide them is that correct?

MS. SILBER: So we need to make a motion.

MR. JOHNS: Yeah.

MS. SILBER: Well I think the question, the question would constitute would a photo, would measured drawings plus an accompanied document with photo, detailed photo recordation would that constitute a treatment measure to minimize the affects of the loss of the house? That is the question we have to ask ourselves. The house is in good shape correct?

MR. JOHNS: I don't have my records. Has that been recorded in the record plan?

MR. DAVIS: So we will be prepared to make a motion.

MS. SILBER: Can you remind us just what our original, what our statement was the first time around or we are not allowed to include that information as part of this discussion?

MS. CESNA: The recommendation that the Board made.

MS. SILBER: The first time.

MS. CESNA: On the land development plan?

MS. SILBER: Yes.

MS. CESNA: Yes, I sent you a copy of that.

MS. SILBER: Yes.

MS. CESNA: In last month's mailing.

MS. SILBER: Yep. But we are allowed to take that into consideration correct?

MS. CESNA: Yes.

MR. DAVIS: I believe it's that first page.

MS. SILBER: Yep.

MS. CESNA: You voted to recommend two things. First there was a recommendation to the Department of Land Use regarding the land development plan Application 2013-0856, the Northeast Christian Church. The first recommendation to the Department was to deny the proposal to demolish the historic house and encourage its rehabilitation for reuse. The second recommendation was either move the historic building or redesign the site plan to accommodate the existing location of the historic house.

MS. ANDERSON: I move that we deny the proposal to demolish the historic house and encourage its rehabilitation for reuse, either move the historic building or redesign the site plan to accommodate the existing location of the historic house.

MR. DAVIS: But I don't think we can.

MS. SILBER: Do the second.

MR. DAVIS: I don't think we can make a motion to deny. Our options are to maintain the hold.

MS. ANDERSON: Maintain the hold.

MR. DAVIS: On the permit or release the hold. Those are the options before us.

MS. ANDERSON: So I would modify it to state to maintain the hold for demolition and encourage its rehabilitation for reuse and either move the historic building or redesign the site plan to accommodate the existing location of the historic house.

MR. JOHNS: I don't think there is a site plan to change any more.

MS. SILBER: My first statement.

MR. JOHNS: What your saying is your motion is to maintain the hold on the demolition and recommend that they keep the house.

MS. ANDERSON: Okay.

MR. DAVIS: As I understand it the exploratory plan has expired so we are now just dealing with the application for demolition of the house.

MS. ANDERSON: So I move to maintain the hold against the demolition and recommend that they will look into either moving the house, redesigning or rehabbing the house.

MR. JOHNS: Just need a second there.

MR. DAVIS: Yeah we need a second.

MS. SILBER: I'll second it.

MR. JOHNS: I think they pretty much said that they are not going to renovate it or move it. I think the most we could ask for is for them to provide some kind of documentation, measured drawings. We already have a fairly good photograph in the record that was provided.

MR. DAVIS: I would agree with you Steve that, you know, I think that was the essence of this report here was basically a report to say to present the hardships of trying to preserve or an adaptively reuse the existing building.

MS. ANDERSON: So are we going to vote. We still have to vote on it.

MS. SILBER: We have to.

MR. JOHNS: Modify the motion. In fact I move to modify the motion to request that they provide the measured drawings and the motion would be to maintain the hold with a request that they provide measured drawings on the house.

MR. DAVIS: Okay so for clarification then the motion is to maintain the hold and request documentation.

MR. JOHNS: I mean technically we probably have to vote on that as a motion to change the original motion.

MS. SILBER: Okay.

MR. DAVIS: Lets listen to our legal expert.

MS. WHITE: There was an original motion.

MR. DAVIS: Okay.

MS. WHITE: There was a second. Okay there was discussion and then Mr. Johns discussed modifying the original motion and he moved then to modify the original motion. And I apologize I don't have my Robert's Rules of Order but at the very least you would need to second to modify the motion and then.

MS. ANDERSON: Then vote on it.

MS. WHITE: You could vote on the modified motion.

MR. DAVIS: Okay.

MS. SILBER: Can we discuss, but can we modify it then so the original motion was to hold the demolition. I'm summarizing hold the demolition and then recommend seeking an alternative.

MR. DAVIS: An alternative use.

MS. SILBER: An alternative reuse or moving.

MS. WHITE: If I may I apologize, if I may if it's procedural easier after this discussion you could, someone could withdraw the original motion and then withdraw the amendments and then.

MR. DAVIS: Start fresh.

MS. WHITE: Start fresh.

MS. SILBER: Okay.

MS. WHITE: That might be procedurally easiest for the record.

MS. ANDERSON: So I will withdraw the original motion.

MR. JOHNS: I withdraw my motion.

MS. SILBER: Okay.

MS. WHITE: And you may have additional discussion if you want to come up with a new motion to address what's been discussed. This would make this record cleaner.

MS. SILBER: So what happens if we modify, to make a motion and I'm not wording it completely but just to get the.

MR. DAVIS: We are in discussion mode.

MS. SILBER: So the motion would be to keep the hold and then recommend moving the building or redesigning the site plan to accommodate the existing location but.

MR. JOHNS: There is no such motion.

MS. SILBER: Oh sorry.

MS. ANDERSON: We would recommend moving the.

MS. SILBER: And encourage it for reuse.

MS. ANDERSON: Yeah rehab.

MS. SILBER: And if that is not possible recommend, request, recommend formal photo recordation measured drawings of the building. That sort of puts everything together in one package. Does that work?

MR. DAVIS: Yep.

MS. ANDERSON: Okay.

MS. SILBER: I don't know if I could read that, say that back to what I just said so.

MR. DAVIS: Was that a motion?

MS. ANDERSON: No. She was trying to put something together. So I have maintain a hold on the demolition, request that the owners seek alternate measures for rehabilitation or moving and if not able to do that provide measured drawings right?

MS. SILBER: And formal photographs, detailed photographs of the existing house, the S. Houston House.

MS. ANDERSON: Okay.

MS. SILBER: That keeps the original, our original recommendation and then adds the part about photo recordation. Does that work?

MS. ANDERSON: Okay.

MR. DAVIS: Did you make that a motion?

MS. ANDERSON: We did not make a motion. We are trying to put everything together. Should I go ahead and do that?

MR. DAVIS: Yes.

MS. ANDERSON: I move that we maintain the hold on the



demolition. We have the owners seek out alternative rehabilitation measures or move the structure. If that is not pliable then the owner should provide measured drawings and photos of the existing house.

MR. JOHNS: I'll second that.

MR. DAVIS: Okay. Are we ready for a vote or do we need more discussion? Vote. All in favor.

. . . (Everybody said aye) . . .

MR. DAVIS: The motion carries.

MS. CESNA: So the vote was four in favor?]

MR. DAVIS: Yes.

MS. ANDERSON: Yes.

MS. CESNA: And three members absent.

MS. WHITE: Mr. Chair sorry to interrupt.

MR. DAVIS: Yes.

MS. WHITE: But if I could just we have three members in the public could you just remind them or ask them that they make sure that they each have signed into the sign in sheet before they leave this evening.

MR. DAVIS: Yes if you haven't already please sign in. There's a sign in sheet at the door there. Thank you. Thank you. Okay moving on.

MS. CESNA: The next item on the agenda is Application 2017-11694, 2275 Pulaski Highway. This is the County's Glasgow Regional Park and the application is for a demolition for five of the outbuildings at The Hermitage historic farm complex.

Just a couple of things I want to show you up on the screen.

I just wanted to remind you that at your June 20th meeting Special Services, that's Steve Ruble gave a presentation on what the County has accomplished at The Hermitage in terms of converting that historic complex into one of the County's farmer's markets. And he showed a power point presentation which I'm going to just run through very quickly.

This is the schematic of the historic complex showing it converted into a farmer's market. The idea is to have this be a public space to bring in a variety of vendors. What they put together was before and after photographs of the buildings that had been renovated so far. And you'll see on the right-hand side before obviously and that dates to July 2015 and on the left less then a year later. Here a number of views. You can see that there was a substantial amount of work was done. Not just to the buildings that were renovated but also to the grounds so it's safe for people to walk around. Walkways. Parking areas.

And this is the farmhouse in the middle of the complex. You can see here that they worked quite hard on stabilizing the building. Here you can see some of the ground work is still in progress even though the buildings have been renovated and these date back to February of 2016.

So I just wanted to show you that to refresh your memory since that was from June. During this presentation you were also told that there were a few of the smaller outbuildings that were in poor condition. And there was currently no budget to renovate them and that they are now welcoming the public into this area and there was concern for public safety. And so at your hearing on September 19th

these are the buildings that are proposed for demolition. These buildings here. This gazebo, a maintenance shed, and storage structures. You were also told that the storage structure is made out of glazed block and these glazed blocks are also used in the foundation of one of the barns on the property. And you told Special Services they could salvage these for later reuse in repairing that.

This is an aerial photo. This is a rather grainy looking view but this is The Hermitage Complex. You can see off to the right this is the walking tract that's part of the athletic facility at Glasgow Regional Park and this is a current layout with the farmhouse in the middle. You can see the buildings have been renovated and they pop out. So that isn't as clear as the original but this is a copy of the aerial photograph. It didn't come out very clear. So those are the materials I wanted to review for you.

MR. DAVIS: Thank you Valerie. I'll start by saying I'm really encouraged by the good work that's been done on the bank barn and the Frasier House and I hope it's a sign of things to come in the future for this property. If I remember from our public hearing there was one I'll call it a small point, I don't know if it's a small point or not there was one issue brought to light and that was on the application for demolition the barn is listed as one of the buildings to be demolished. That is not the case if I remember and I'm going to invite Steve up to the table to confirm that.

MR. RUBLE: Steve Ruble, project administrator with Special Services. The only structures that we are recommending to be demoed are what you see in these pictures, these five outbuildings. No

barn is recommended to be demoed at all.

MR. DAVIS: Okay. Great. Thank you. I just wanted to make sure that was clear for the record.

MS. CESNA: But I would also just offer as another point of clarification the application does say see following page and this exhibit was included with it that it mentions building two, three, four, six, and eight and that's what you see on the exhibit.

MR. DAVIS: Yes that is correct. In reviewing these photos I will give this Board member's opinion these outbuildings, the garage, the shop, the gazebo particularly the gazebo, the maintenance shed, and the storage structure they are all in very poor condition. It's clear from the photos that they've all seen better days.

MR. JOHNS: Again I was not at the hearing but this was presented by and I did read the transcript it does sound to me as though the condition is poor. I think that while they are interesting additions to the context of the farmstead I don't think they are important pieces of a farmstead. And I would move that we release the hold on the demolition permit.

MR. DAVIS: Do we have a second?

MS. ANDERSON: I would like to amend that movement. In that I would agree that we move to release the hold on the demolition, to clarify that the barn is not part of the demolition, and to encourage salvaging as much material as possible for reuse where feasible.

MR. JOHNS: I withdraw my motion and second the current motion.

MS. WHITE: Well you amended that motion and since that motion

has been withdrawn do you want to have Ms. Anderson go ahead and put forth a new motion.

MR. DAVIS: Yeah.

MS. ANDERSON: Okay. I move that we release the hold on the demolition, that we clarify that the barn is not part of the demolition, and that the client also salvage as much material as possible for reuse where feasible.

MR. JOHNS: Second.

MR. DAVIS: All in favor.

. . . (Everybody said aye) . . .

MS. CESNA: The vote was four in favor.

MR. DAVIS: Four in favor.

MS. CESNA: And three members are absent. No one opposed.

MR. DAVIS: No opposed. And three absent.

MS. CESNA: And we come to the last application on the agenda is Application 2017-11564 located at 913 Ash Farm Way in the Ashby's Place subdivision. It is a demolition permit that proposes to demolish the foundation only and to relocate the S. Higgins House on a new foundation on the existing parcel.

This is a property that's listed in the National Register of Historic Places. And I do have a couple of exhibits to show you to refresh your memory from the public hearing on September 19th. Again I just want to clarify this is not a demolition permit to demolish the house. It's a demolition permit to accomplish relocating the house on the same parcel.

And here this is the Ashby's Place subdivision and you see the blue outline is the parcel associated with the S. Higgins House.

Here you can see the house has its facade oriented to Bayview Road and a couple of outbuildings here. I do also want to show you the record plan of the subdivision that incorporates this. Here you see the entire community and this is the parcel reserved for the historic property and this is the private community open space that surrounds it.

And this is the detailed page on the record plan. Again here you just see the relationship of the buildings. There are two outbuildings that propose to be saved. Some specimen trees that are to remain. The entrance driveway, the current cut had to be disconnected. Instead access is taken from the subdivision street. And what the applicant is proposing is really to pick up the house and rotate it 180 degrees. This is the exhibit provided with the demolition application. This is the existing arrangement and what you saw on the record plan the facade of the house facing this way. They want to reorient it and point it towards the subdivision street. Then they want to renovate the building and put an addition on the rear for a garage and a business.

MR. DAVIS: Thank you Valerie.

MS. SILBER: Thank you. I can begin.

MR. JOHNS: Excuse me.

MR. DAVIS: Steve.

MR. JOHNS: I read the transcript for this. I was glad to see that it's not actually on the agenda for tonight's meeting because my company provided the structural report for this application and I believe I should recuse myself from the application and I don't know what that does to the quorum.

MS. ANDERSON: We don't have a quorum.

MS. WHITE: Let me just see.

MR. DAVIS: Sure. Sure.

MS. WHITE: I think this addresses the quorum. I don't think from my reading this I don't think a recusal is addressed as to the quorum. You do have a quorum in that you have a majority of the existing members which is at least more than half of the seven because we have the vacancies. So your quorum is not affected in that regard. But let me just make sure I got the voting because that's where we are commit. So since a recused member can be counted for quorum purposes even though they are not voting in other instances and I just want to be sure if it's addressed here that in other instances a recused member can't be considered as part of the quorum. So if you don't mind if we have maybe a two minute recess break and I can maybe at least see what we can do here for the moment.

MR. DAVIS: Okay.

MS. WHITE: If necessary we take continuation to the next agenda. Is that possible Valerie that we have that? If we lack a quorum for the vote my suggestion would be to carry over to the next agenda this meeting for a vote. But we'll have that two minute recess I'll check this.

MR. DAVIS: Yeah lets recess for three minutes lets say.

MS. WHITE: Five minutes. Five minutes.

MR. DAVIS: Five minutes. Yeah. Five minutes and we'll return we'll.

MS. CESNA: Okay I will turn the recorder off during the recess

which begins now.

MS. WHITE: Okay.

. . . (Recess was taken) . . .

MS. CESNA: Okay the recess is over and we are reconvened.

MS. WHITE: Okay thank you Mr. Chair and thank you Board members. I would concur with previous counsel's recommendation that because Mr. Johns has to recuse himself from voting on this application that you do not have a sufficient quorum in order to transact business on this particular application, therefore, it should be moved to the next business meeting. And hopefully the quorum issues will be present but I can do some research to see if how that can be accommodated in the future and then advise you will need to update the bylaws. And I'll do that at the next business meeting rather than the next public hearing if that is okay with the Board.

MR. DAVIS: Yes.

MS. SILBER: Yes.

MR. JOHNS: And I apologize.

MR. DAVIS: Well I guess that closes or concludes our new business items. Are we ready for our report from the Preservation Planner?

MS. CESNA: Yes I just have one item to report to you. Earlier this summer you reviewed a land development plan for Baymont Farms and you had recommended that the farmhouse and the barn be documented. And I just wanted to let you know that documentation has been accomplished. Unfortunately I do not have an electronic copy of it. I just have one paper copy so I'm just going to pass it



down for your perusal and just return it to me when you are done.

I just wanted to let you know that your recommendation was acted upon and it was accomplished. The developer hired the University of Delaware Center for Historic Architecture and Design who we know very well. We know the quality of their work. They produced measured drawings and also I think an elevation drawing of the front because the building was so covered with vines and other things they felt it was necessary to produce the measured drawings because photographs could not capture all of the details on that side of the building.

MR. DAVIS: That's good.

MS. CESNA: And that ends my report.

MR. JOHNS: Very good.

MR. DAVIS: Next is the report of the Chair. Our Chair person is not present tonight and the Acting Chair does not have a report. Finally public comment.

MR. RUBLE: Two things. Steven Ruble.

MS. CESNA: Can you come to the table.

MR. RUBLE: Steven Ruble, project administrator with Special Services, New Castle County. For the demo of the structures at Glasgow do I need to wait for your letter in writing to move forward with that or can I move forward with that based on what I heard tonight?

MS. CESNA: I need to document the Board's motion and then on our internal record keeping system sign off on it from the Historic Review.

MR. RUBLE: Okay.

MS. CESNA: I currently hold the application file. The application file will go back to our permits section and then they will be in touch with your contractor to see if there is any additional information that's needed. If not I will be prepared to process the paperwork and issue the permit.

MR. RUBLE: Okay. Okay. Sounds good. Yeah we need to wait for the permit. That makes sense. Will there be any more discussion on Ivyside and Jester? Or maybe we should just basically move forward with our documentation and then bring it back to the HRB Board once they are complete with the documents.

MS. CESNA: What you presented at the September 19th hearing was simply a presentation of information to the Board.

MR. RUBLE: Right.

MS. CESNA: Updating them on your current efforts and your current plans for moving forward.

MR. RUBLE: Correct.

MS. CESNA: And I think what we heard you say was that you would be back in the future with applications for building permits for the actual renovation.

MR. RUBLE: Correct. I just didn't know whether there would be any further discussion from that meeting at the business meeting so.

MS. ANDERSON: But we did provide comment right? I thought we had provided. I provided comment in regards to some of the materials that you were using.

MR. RUBLE: Right. Correct.

MS. ANDERSON: And maybe look into some alternatives for the

roof for one of them. I can't remember right off the top of my head.

MR. RUBLE: Right. It was Jester.

MS. ANDERSON: Jester. Okay. And I think there were some other comments.

MS. SILBER: Yes.

MR. RUBLE: And we took those down so yeah we'll move forward with that.

MS. ANDERSON: I think in general I thought the presentation was very good and I mean from my point of view what you showed seemed to be a very good approach to trying and stabilize and preserve the items. I thought John had a very good comment and so did the representative that was here in that stabilizing without a plan is very costly because then you keep coming back, you stabilize it, it degenerates, and then we stabilize it, and then it degenerates.

MR. RUBLE: Right.

MS. ANDERSON: So, you know, to continue that path is probably not good so it's really good to have we need a path forward so that the facilities can actually be utilized. I thought that was a very good point.

MR. RUBLE: I agree.

MS. ANDERSON: So.

MR. RUBLE: Great. Okay well I just wanted to confirm that so thanks. I appreciate it.

MR. DAVIS: Seeing no more public to offer comment do we have a motion to adjourn.

MR. JOHNS: So moved.

MS. SILBER: Second.

MR. DAVIS: All in favor.

MR. DAVIS: Meeting adjourned. (Whereupon this hearing was concluded at 5:55 p.m.).