

**MINUTES
BUSINESS MEETING
NEW CASTLE COUNTY PLANNING BOARD
DEPARTMENT OF LAND USE - NEW CASTLE ROOM
87 READS WAY, NEW CASTLE, DELAWARE
December 17, 2019
9:00 A.M.**

The Business Meeting of the Planning Board of New Castle County was held on Tuesday, December 17, 2019 in the New Castle Room of the Government Center Building, 87 Reads Way, Corporate Commons in New Castle, DE.

The meeting was called to order by Chairperson Karen Peterson at 9:02 a.m.

The following Board members were present:

Leone Cahill
Jonathan Cochran
Joseph Daigle
Leah Gray
William McGlinchey
Karen Peterson
Ruth Visvardis
Kiana Williams

The following Board members were absent:

Robert Snowden

Planning Board Attorney, Office of Law

Randolph Vesprey

The following Department of Land Use employees were present at the meeting:

Antoni Sekowski	Stacey Dahlstrom
Matthew Rogers	Marisa Lau

The following members of the public were in attendance:

None.

MINUTES

November 19, 2019

DEFERRALS

None.

BUSINESS

App. 2019-0541-Z. North side of Silverside Road, South side of Wilmont Drive. This is a County Initiated rezoning at **3203 Silverside Road** of 0.35 acres from Neighborhood Conservation (NC-15) to Neighborhood Conservation (NC-15) with a Historic Overlay (H). **Ord. 19-088 will rezone 0.35 acres from Neighborhood Conservation (NC-15) to Neighborhood Conservation (NC-15) with a Historic Overlay (H).** NC-15. CD 2. Brandywine Hundred. (T.P. 06-052.00-232)

The Department has considered the *Standards for Zoning Map amendment* in Section 40.31.410, A through E, the proposed rezoning, and comments received from agencies and the public. Based on this analysis the Department is of the opinion that the standards are met by this proposal. The Department of Land Use recommends **APPROVAL** of Ordinance 19-088.

At its business meeting held December 17, 2019 the Planning Board considered the recommendation offered by the Department of Land Use. On a motion by Ms. Cahill and seconded by Ms. Williams, the Board voted to recommend **APPROVAL** of Ordinance 19-088. The motion was adopted by a vote of 8-0-0-1 (Yes: Cochran, Cahill-Krout, Daigle, Gray, McGlinchey, Williams, Visvardis, Peterson; No: none; Abstain: none; Absent: Snowden).

In discussion preceding the vote, the following comments were offered:

Ms. Peterson inquired what would happen to the Historic overlay if the dwelling was destroyed. Betsy Hatch, Historic Preservation Planner for Land Use, replied that the overlay would remain even if the house no longer existed. Property owners would be required to go through the rezoning process again to remove the zoning designation. She also mentioned that the County Code contains provisions to prevent demolition by neglect.

In reply to a question from Ms. Visvardis about plans for the property, Ms. Hatch emphasized that the owners initiated the rezoning process to protect the historic dwelling going forward. They became interested in this option after the bank barn, located on the abutting parcel to the west, was demolished several years ago. The rezoning application submitted by the owners stated their intent to continue the residential use of the property.

Regarding the adaptive reuse provisions in Article 15 of the NCCC, Ms. Hatch and Antoni Sekowski, Planning Manager, indicated that it would be difficult to establish an office use with required parking on the property due to the small lot size. Variances from the Board of Adjustment and another Historic Review Board hearing would be needed. As a residential property, the owners could establish a home office by right if they wanted.

Ms. Peterson asked if the owners could apply for a tax exemption. Ms. Hatch and Stacey Dahlstrom, Planning Manager, replied that the Department is working on a new application with the Finance Department for a recently reinstated County program offering tax exemptions for historic properties. Properties that are located within an Historic zoning district or listed on the National Register of Historic Places are eligible for the program. The owners began the rezoning process before they knew about the program, but they would be eligible for it.

Randy Vesprey, Planning Board Attorney, informed the board that the applicants for App. 20190596 (Eagle Hunt) have appealed the board decision on the subdivision variance to County Council.

