

BEFORE THE NEW CASTLE COUNTY  
HISTORIC REVIEW BOARD  
STATE OF DELAWARE

---

---

Department of Land Use  
New Castle, DE

---

September 18, 2018

---

PRESENT

DEPARTMENT OF LAND USE

Matt Rogers  
Elizabeth Caufield

HISTORIC REVIEW BOARD

Barbara Benson, Chair  
Karen Anderson  
John Brook

Steve Johns  
Barbara Silber  
Rafael Zahralddin

Colleen Norris

MS. BENSON: All right I'd like to call the Historic Review Board of New Castle County public hearing of September 18, 2018 to order. It is 5:07 by the meeting room clock. We will begin with roll call. I'm Barbara Benson.

MR. JOHNS: Steven Johns

MR. BROOK: John Brook.

MS. ANDERSON: Karen Anderson.

MS. BENSON: We have with us Elizabeth Caufield and Matthew Rogers from the Department of Land Use and Colleen Norris from the Law Department. 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 and how the proposed projects affects the County's historic resources. To make the most efficient use of this time at the hearing the following 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. Speakers are not permitted to debate the applicant but may ask questions that the applicant may choose to answer during his rebuttal period at the close of the public comment period.

All testimony is recorded and transcribed, therefore, all speakers must come forward to the table one at a time and state their name, address, 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 these hearings today. The Board will evaluate the information, testimony, and comments received here at the public business meeting to be held the first Tuesday of next month.

MS. BENSON: Thank you. For the record I'd like to note that Rafael Zahralddin has joined the Board. Okay old business. None. New business. Will you read it into the record for us please.

MS. CAUFIELD: Application 2018-0453-S, 1130 Ogletown Road. It's located at the North side of Ogletown Road, 621 feet west of the intersection with Stafford Way. White Clay Creek Hundred. Exploratory Major Land Development Plan for Newark Commons Daycare which is to construct a 10,000 square foot daycare facility, associated parking, and to utilize an existing Dutch Colonial home (James Morrow House circa 1860). CR Zoning. Council District 5.

MS. BENSON: Thank you. Oh let me just say that Barbara Silber has joined the Board. And will the applicant please come forward and give us her name.

MS. DUHADAWAY: My name is Kristen DuHadaway. I'm from the Reybold Group out in Bear, Delaware.

MR. BROOK: Have a seat.

MS. BENSON: Sure have a seat.

MS. DUHADAWAY: And this is my side here. As you are aware the James Morrow House on Ogletown Road is listed on the National Register of Historic Places due to its unique architecture with the Dutch Colonial and Gambrel roof. It was originally built in the 1860's. It's one of two known existing homes of this style from that time period. The other one being the Buttonwoods.

Reybold purchased the property with the house in 1998 and a little over 10 years ago removed it from its original location about 500 feet to its current position. Reybold is currently seeking to develop the site surrounding the house as a daycare facility. The plan incorporates the James Morrow House as office and storage space for the daycare but the actual operational facility would be a new structure.

The external architecture of the home would be maintained and restored as close as possible to the original though there would have to be ADA compliant changes made and probably an emergency exit to the rear of the home. We would ask for your support of this plan so we can continue through the development approval process. And I'm happy to try to answer any questions as Jerry Heisler's representative. But he requested through me that we leave the record open in case there is something I can't answer and we can go back and get that information from him. And then in the meantime he asked if it's necessary to leave it open. He requested a

conditional approval based upon the receipt of the responses.

MS. BENSON: Thank you.

MS. DUHADAWAY: And that concludes my presentation.

MS. BENSON: All right we have a considerable amount of information the plans and other documentation. Since it's on the National Register any discussion?

MR. JOHNS: I just have one question. I saw on the plans there appears to be a large berm or pile of earth right behind the existing house. Do you know anything about that?

MS. DUHADAWAY: I do not.

MR. JOHNS: Okay. Because it appears that that has to be moved because a lot of times those stockpiles are contaminated soils and I was just wondering what happens to it.

MS. DUHADAWAY: I'll have to find out from Mr. Heisler. It could just be a stockpile from when we moved the home.

MR. JOHNS: Right.

MS. DUHADAWAY: And when we were doing the CarMax facility next door.

MR. JOHNS: Okay.

MS. DUHADAWAY: But that's something I can find out and we can get back to you all.

MS. BENSON: John.

MR. BROOK: One of the very interesting aspects of this house is the front view of it. And that appears it's going to have an elevator added to the front.

MS. DUHADAWAY: An elevator or perhaps a switchback ramp I guess to make it ADA compliant. I'm not sure what would be done.

MR. BROOK: I'm just wondering if that could be added to the back where it would not be, not interfere with the view.

MS. DUHADAWAY: We can.

MR. BROOK: The appearance of the.

MS. DUHADAWAY: I can find out.

MR. BROOK: In front of the house.

MS. DUHADAWAY: Right.

MR. BROOK: I don't know why it couldn't be but I see that it's here on the front apparently right beside the berming. Stairs going up. I think that's an architectural feature that.

MS. DUHADAWAY: That you'd like to maintain.

MR. BROOK: I think so. I don't know if that's an original feature or not but it appears to be.

MS. BENSON: Other questions? Comments. John.

MR. BROOK: Is the shed addition going to remain on the side?

MS. DUHADAWAY: I do not know. I have to ask.

MR. BROOK: The garages are gone aren't they back here?

MS. DUHADAWAY: Yes.

MR. BROOK: Yeah they are.

MS. DUHADAWAY: It's just that main structure there.

MR. BROOK: This is the picture of the house before it was moved I take it that I have.

MS. DUHADAWAY: I believe so.

MR. BROOK: Yeah.

MS. DUHADAWAY: As I said it's pretty much just the one single structure now.

MR. BROOK: Yeah. I can't remember if this shed was with it now

or not.

MS. DUHADAWAY: I don't think so.

MR. JOHNS: No.

. . . (Inaudible) . . .

MR. BROOK: Okay. I'll have to take a look at it. I drive by there all the time.

MS. ANDERSON: So the photos that we have are not the photos of where it's sitting right now?

MS. DUHADAWAY: If that's what he is describing with the extra buildings then no.

MR. BROOK: It's about 500 yards. Less.

MR. JOHNS: There are no trees around it right now.

MS. ANDERSON: Well does it still have the front.

MR. BROOK: Porch.

MS. ANDERSON: Porch?

MS. DUHADAWAY: Yes. It's staying propped up right now by.

MS. ANDERSON: Is that going to remain as part of this?

MS. DUHADAWAY: Yes.

MR. BROOK: Well that's what I was talking about because I thought that was an important architectural feature and not put the elevator there because I don't know how you put the elevator out there without.

MS. DUHADAWAY: Without ruining that.

MR. BROOK: Destroying that appearance.

MR. DUHADAWAY: Yeah.

MS. ANDERSON: So all the chimneys are going to remain?

MS. DUHADAWAY: Um um.

MS. ANDERSON: So the basic I guess concept is that your going to gut the interior and refurbish the exterior or is the.

MS. DUHADAWAY: I.

MS. ANDERSON: Need of the interior.

MS. DUHADAWAY: As far as I understand the interior is, there's not much left any way.

MR. BROOK: Well our real interest is in the exterior.

MS. DUHADAWAY: Exterior. Right with the roof on it.

MR. BROOK: And I assume that if they are going to make it compliant for ADA use and what not that the interior will probably have to be able to saw through any how.

MS. DUHADAWAY: Yes.

MR. BROOK: I assume they are going to use all three levels of it.

MS. DUHADAWAY: I can't answer that for sure.

MR. BROOK: All right.

MR. BROOK: I guess one thing that we need to be concerned about is the view shed of this house. It's going to be surrounded by parking.

MS. DUHADAWAY: Okay.

MR. BROOK: And I understand that and what is necessary. What efforts have been undertaken to screen the parking area from the.

MS. DUHADAWAY: From the home.

MR. BROOK: From the home and from the roadway?

MS. DUHADAWAY: Um none as of yet. I can bring that up to Mr. Heisler.

MR. BROOK: Okay.



MS. DUHADAWAY: And see if they can develop a plan.

MR. BROOK: Can you remember all this or should you be writing some of this down?

MS. DUHADAWAY: Well I got it.

MR. BROOK: Okay. All right.

MS. DUHADAWAY: Trust me the first thing I do is call him as soon as I leave.

MR. BROOK: I mean I assume there's going to be lighting out there.

MS. DUHADAWAY: Um um.

MR. BROOK: And there's probably going to be signage out there all of which we will be interested in looking at.

MS. DUHADAWAY: And making sure that it's not.

MR. BROOK: Yeah. Yeah. It doesn't detract.

MS. DUHADAWAY: Not ruining the actual view of the home.

MR. BROOK: But not necessarily detract from the home. But I for one was very glad that something is finally being done to this property.

MS. DUHADAWAY: Yes.

MR. BROOK: I really am.

MS. BENSON: Okay I'm slow today so let me just get this straight. There's a whole bunch of parking.

MR. BROOK: That surrounds it.

MS. BENSON: It's the school building here.

MR. BROOK: No. No. It's a house.

MS. BENSON: Okay.

MR. ROGERS: That's CarMax.

MS. BENSON: Okay. So there really is a lot of parking.

MR. BROOK: Well it's all around it.

MR. ZAHRALDDIN: It's all around it. That's the school right there right?

MR. JOHNS: No. No. No. It's the far left. It's the little thing on the far left.

MR. BROOK: It's the arrow shaped thing.

MR. ZAHRALDDIN: Oh right here?

MR. BROOK: Yeah. Yeah.

MR. JOHNS: The L-shaped thing is the daycare.

MR. BROOK: That's the 10,000 square feet. And then the irregular shaped building is the historic building. It shows the shed as still attached to it the way this is drawn.

MR. JOHNS: It does look like it.

MS. BENSON: Yes it does.

MR. BROOK: I don't think it is but.

MR. ZAHRALDDIN: Well but I think Barbara is right then if that little piece is the house and then the green space surrounds it and then there is parking around that right?

MR. JOHNS: Right.

MR. BROOK: And this I think is a drawing of it. It's on page two.

MS. SILBER: Look on page two. It's all in the front.

MR. BROOK: That shows you the building up here in the front right.

MR. ZAHRALDDIN: Right here?

MS. SILBER: Yes. So this is all.

MR. ZAHRALDDIN: So the building is right here.

MS. SILBER: Yes. It goes all the way around.

MS. ANDERSON: Go around it. The entire thing is.

MR. ROGERS: There you go.

MS. ANDERSON: It's all parking and paving.

MS. SILBER: Yes.

MR. ROGERS: There's your parking in the front there.

MR. ZAHRALDDIN: But this is green space.

MR. ROGERS: And that's green right over there.

MR. BROOK: Well the proposed play area I guess is maybe green space.

MS. BENSON: Yeah okay well it's not like the CarMax place.

MS. SILBER: There's no lawn in front.

MR. JOHNS: No lawn.

MS. SILBER: There could be a lawn, you know, a front lawn.

MS. BENSON: Yeah.

MS. SILBER: And a rear lawn.

MS. BENSON: Okay.

MR. BROOK: There's not much lawn involved.

MS. ANDERSON: It seems I don't know it would be nice if they could take a look at the parking and see if somehow they don't turn this into a little island like they have. I'm not sure how that would happen.

MR. BROOK: Well they probably need that bring around the places, the fire lane I would guess.

MR. ROGERS: It's for circulation and general ride around.

MS. DUHADAWAY: School buses.

MR. JOHNS: If they could pick up the house and move it forward. You moved it once.

MS. DUHADAWAY: I don't think they are going to move it again.

MS. BENSON: Surely you can do it again.

MR. ZAHRALDDIN: One of the things that's going to be done is professionally where the play area is is in instead of it just being asphalted over there perhaps it's treated differently so that's whether it's kind of cobblestone or something that might be appropriate.

MS. DUHADAWAY: Okay.

MR. ZAHRALDDIN: In other words it doesn't have to all be asphalt around there.

MS. DUHADAWAY: Right. Okay.

MR. ZAHRALDDIN: Particularly in front of that area which is going to be in front of the play area which is green. So instead of it being surrounded by black asphalt with, you know, whatever perhaps that could be worked in to give a little bit more.

MS. DUHADAWAY: Right.

MR. ZAHRALDDIN: In terms of.

MS. DUHADAWAY: Okay.

MR. ZAHRALDDIN: Interesting but more interesting view sheds. Maybe even the play area could be.

MS. DUHADAWAY: Some of it kind of goes in line with the house versus modern against colonial.

MS. ANDERSON: Yeah. I mean maybe there's not a hard curve there it could be I mean I don't know depending upon how it's graded but it could come down. There could be pavers and then it

could softly go back over to those play areas.

MR. ZAHRALDDIN: Yeah. There's a million different ways to do it but a different treatment that's not just black asphalt there might actually make that, look somebody can get really creative and actually the play area when it's not being used maybe that becomes some, you know, four square or . . . (inaudible) . . .

MS. DUHADAWAY: Right.

MR. ZAHRALDDIN: Maybe that play area goes a little bit further.

MS. DUHADAWAY: Right.

MS. BENSON: It adds excitement.

. . . (Inaudible) . . . (Baby is crying) . . .

MR. ZAHRALDDIN: That's okay.

MR. BROOK: She wants something. I don't blame her.

MR. ZARHALDDIN: But I do think that there could be something done to maybe soften that as far as asphalt.

MS. DUHADAWAY: Okay.

MR. ZAHRALDDIN: Ring that's around the whole place.

MR. BROOK: We are going to be interested in that whole.

MS. DUHADAWAY: Just the whole.

MR. BROOK: The whole concept. The parking.

MS. DUHADAWAY: Right.

MR. BROOK: The lighting.

MS. DUHADAWAY: How it's going to look overall.

MR. BROOK: The siding. You know, the plantings I assume you are going to plant something.

MS. ANDERSON: Also the approach to the building. Looking at

the other, looking at the photos it looks like the entrance is it's kind of a side entrance with a curved stair that comes up. I don't see that. It's right here and that might be going to John's comment about the elevator so I think that's important that's part of the architectural character.

MR. ZARHALDDIN: So where do you see the entrance being?

MR. BROOK: Well I think the entrance, the turn entrance is.

MR. ZARHALDDIN: It's right here.

MS. ANDERSON: And then the original photo.

MS. DUHADAWAY: The two stairs that go up.

MR. BROOK: The curving thing there.

MS. BENSON: Karen which pictures are you looking at?

MS. ANDERSON: These.

MS. BENSON: The photos okay. All right.

MR. BROOK: I realize that if you move the location of the elevator your going to have to accommodate that with probably handicap parking here and the entrance somehow get to it.

MS. DUHADAWAY: Somehow make those buildings work.

MR. JOHNS: The ADA accessibility has to be to the primary entrance. So you may have to change the primary entrance to the office.

MR. BROOK: Yeah I don't know.

MR. ZARHALDDIN: Do we know what the daycare is going to look like?

MS. DUHADAWAY: Not yet. I don't think they've done elevations yet for the building.

MR. BROOK: Since this is a historic structure could we get an