

BEFORE THE NEW CASTLE COUNTY

HISTORIC REVIEW BOARD

STATE OF DELAWARE

Department of Land Use
New Castle, DE

February 6, 2018

PRESENT

DEPARTMENT OF LAND USE

Matt Rogers

HISTORIC REVIEW BOARD

Barbara Benson, Chair

John Brook

John Davis

Steve Johns

Barbara Silber

Rafael Zahralddin

Karen Anderson

Colleen Norris

MS. BENSON: Good evening. I would like to call the Historic Review Board New Castle County business meeting for February 6, 2018 to order. It is 5:02 by the meeting room clock. We begin with roll call. I'm Barbara Benson.

MR. DAVIS: John Davis.

MR. BROOK: John Brook.

MR. JOHNS: Steven Johns.

MS. SILBER: Barbara Silber.

MS. BENSON: Thank you. We also have with us Matt Rogers who is the Preservation Planner, one of his hats for the Department of Land Use and Colleen Norris from the Law Department. We have three sets of minutes/transcripts. One business meeting and two hearings I think. Unless someone wants to we can do it another way I will call for a vote on each one.

MR. JOHNS: Madam Chair I only have one set of minutes.

MR. BROOK: I saw two.

MR. JOHNS: Yeah I saw two. I didn't see three.

MR. ROGERS: One is just the rules of decision.

MR. BROOK: Oh all right.

MS. BENSON: Oh so you don't need that for. Yeah. Yeah.

MR. ROGERS: You don't need to approve that.

MS. BENSON: Yeah. Yeah. Okay. And Rafael Zahralddin has joined us just in time to vote on minutes.

MR. ZAHRALDDIN: Hello.

MS. BENSON: All right the hearing of December 19, 2017. I was not at the hearing but I have read all of the material and brought myself up to date on all of it.

MR. BROOK: I move we approve the minutes Madam Chair.

MR. JOHNS: I second it.

MS. BENSON: All in favor.

. . . (Everybody said aye except for Ms. Anderson who had not arrived yet) . . .

MS. BENSON: Motion carries. The January 16, 2018 a hearing.

MR. JOHNS: Madam Chair I was not at that meeting so I have no idea if it's accurate or not.

MS. BENSON: Okay.

MR. BROOK: Madam Chair I move we accept these minutes as written.

MS. BENSON: A second.

MR. ZHRALDDIN: Second.

MS. BENSON: All in favor.

. . . (Everybody said aye except for Ms. Anderson who had not arrived yet and Mr. Johns who abstained) . . .

MS. BENSON: Motion carries.

MR. BROOK: One abstention.

MR. JOHNS: One abstention.

MS. BENSON: One abstention. Yes. All right old business. Matt would you read it into the record please.

MR. ROGERS: Application 2017-09534, 1309 Cedar Land Road, Middletown vicinity. A Demolition Permit application for the T. J. Houston House, National Register Eligible.

MS. BENSON: All right this is being held as an application and Matt would you just remind us this will come to you next month?

MR. ROGERS: Correct. So you would have up to one more business

meeting on this. The demolition permit releases the day after.

MS. BENSON: Okay.

MR. BROOK: Is there any more information on this house?

MR. ROGERS: We have received no more information.

MS. BENSON: Is there a motion to lift the hold? Hearing none we'll move onto new business. Matt.

MR. ROGERS: Application 2017-16275, 11 Walker's Mill Road, Brandywine Hundred. A Demolition Permit Application for the "Walker's Bank" building which is listed in the National Register of Historic Places and is located within the Eleutherian Mills National Historic Landmark District.

MS. BENSON: Thank you.

MR. JOHNS: Madam Chair.

MS. BENSON: Yes.

MR. JOHNS: I must recuse myself from this.

MS. BENSON: Yes. Thank you Steve.

MR. ROGERS: I would like to mention we've received outside of what I've mailed you we received one more correspondence which I've put in front of you underneath the big stack of everything that you have there.

MR. BROOK: Here?

MR. ROGERS: No. Under your big stack of paper.

MR. BROOK: Big stack.

MR. ROGERS: I'm sorry. Actually I'm getting ready to pass that one out.

MS. BENSON: Okay. Thank you. Is there anyone here representing the applicant who wants to give us some additional information? No.

All right thank you.

MR. ROGERS: I will remind you also that the written record closes today.

MS. BENSON: Then let me just ask you Matt and maybe you know have we heard any more? Have we've seen the deed restrictions or any action have been taking place on that?

MR. ROGERS: We haven't seen anything moving in terms of the deed restrictions being changed with that. There's been some debate between the applicant, the applicant's attorney, and a number of people in the public but nothing.

MS. BENSON: Nothing for us yet.

MR. ROGERS: Nothing moving forward on that. We've been approached as to different uses that are permissible on it. Based on its zoning it is somewhat limited. It's not something that would actually broaden it to residential houses and that wouldn't fall within adaptive reuse any ways. It's limited to office which I believe was mentioned.

MS. BENSON: Anybody have any other questions for Matt Rogers?

MR. BROOK: I do. Let me ask a question about that. Is it not possible though to have County Council change that?

MR. ROGERS: Well your looking at a use variance.

MR. BROOK: Yeah.

MR. ROGERS: Which a use variance would have to say that you deprived all practical use of the property and the property is currently being used as an office. So that's one of the uses that's aren't just permitted.

MR. BROOK: Well the property is not being used at all.

MR. ROGERS: No. No. No. It's on the same piece of property as the Mill building.

MR. BROOK: The Mill building is being used as an office.

MR. ROGERS: Correct. Adaptive reuse.

MR. BROOK: So are you saying that it's not possible to get an exception for this use?

MR. ROGERS: I'm not saying you can't apply for a use variance but it would be a very tough burden to approve.

MR. ZAHRALDDIN: That's what I don't understand. And I think it's the same thing your thinking John is right now the use is going to be it's going to be torn down.

MR. ROGERS: It's part of the site. It's actually part of a plan, the plan actually has a plan before it was done as an adaptive reuse. Your arguing that the part, when looking at it you'll get one structure out of it with more than one design. So when looking at it as a use variance it's kind of hard to make the argument that you've been deprived especially when there are other uses that can go in there. Under the code if you currently have any office use you have anything that fits under the.

MR. ZAHRALDDIN: But the arguments that were made in front of us for why it needs to be torn down was that they couldn't use it as an office because of parking restrictions and other wise. It wasn't just that it wasn't practical it was actually we don't think we can even do this under current code because there's not enough parking there.

MR. ROGERS: Well the argument would also be that you can't actually do a residential dwelling in there.

MR. BROOK: Well there's less parking requirements and what not for a residential.

MR. ROGERS: There are but again it's something that.

MR. BROOK: About the only thing it could be used for is residential.

MR. ROGERS: No. There's a wide variety of things it could be used for.

MR. ZAHRALDDIN: I think they use it for a lot of different things.

MR. ROGERS: Yeah.

MR. BROOK: Really.

MR. ROGERS: Oh yes there's a lot of things on based on the zoning but also based on the statute of reuse.

MR. BROOK: Okay.

MR. ROGERS: There's a wide variety of things on it. It's the hardest lift to get it to being residential. That's kind of, there are a lot of other paths of less resistance which are permitted uses in that district.

MR. BROOK: Do we know if the owners and the people that they are talking to are pursuing any of those?

MR. ROGERS: No. We do not. The Department has discussed this with both the Councilperson as well as the individual, I forgot the individual's name who had sent us, it was in the package sent us different ideas that they had.

MR. BROOK: Okay.

MR. ZAHRALDDIN: You know I guess the reason I was asking Matt was because I can envision lots of situations where you have

multiple historic buildings on a piece of property. Some stuff gets, you know, like what happened here there are stages, dancing may be influences the stages or something else and then when things slowly become the stepchild that you don't want and then it gets demolished which is not something I think we would want removed. So maybe there needs to be a.

MR. ROGERS: Where was the best and maybe this is not the best route but the appropriate route would be to change what our adaptive reuse provisions are. We are very very limited on that. There are numerous across the country. If you look at other places actually that frequently reuse they are not limited to just office. They are either commercial. They are under mix used commercial entities that can actually go into that may broaden the types of things that can have on them. You are limited by right you could basically use it as a caretaker or little things like that but it's a huge structure for a caretaker which makes it difficult.

But so and there are also yeah you could very easily argue for it and I'm not saying of whether you'd get it or not because I'm not the Board of Adjustment but parking rationale, the parking is based on the size of the lot and the floodplain that's on this parcel as well. So there's a lot of exceptional practical difficulties which would perhaps merit variances for parking.

You can also look at it depending on the type of office and the hours that you operate it whether it's an art studio or whether it's yoga. There's a number of different things that actually if yoga actually oddly enough for a little piece of knowledge fits in as an office use as opposed to high density recreation. We changed

that in 2017. But we had a site that's just actually across the river that did that. It's 20 Montchanin Road I think it was. And that one actually based upon the changes yoga doesn't fit into it but yoga actually fits into an office use. So there's a lot of things by right you can get in there and that's not exactly.

MR. ZAHRALDDIN: How about ballroom dancing?

MR. ROGERS: No. It's still high intensity recreation for you.

MR. ZARHALDDIN: It's like a very romantic place to have ballroom dancing.

MR. ROGERS: And it's very popular now a days as well.

MR. ZAHRALDDIN: I'm being a little bit joking but I guess the reason I was asking is have we connected any of the community folks with some of these ideas?

MR. ROGERS: Yeah they've all been on the email train Councilman trail, the group email wise. Councilman Weiner has a vast distribution. So when that came in it was actually distributed back to Councilman Weiner then so and so forth and to everybody else.

MR. ZAHRALDDIN: Okay.

MR. BROOK: Does he understand the difficulty with the adaptive reuse issue?

MR. ROGERS: Yes I explained it was very very limited.

MR. BROOK: All right.

MR. ROGERS: It wasn't something that they had requested to have put into the record but it was a question asking the Department.

MR. BROOK: I appreciate you sending us all those comments.

There were a lot to get through. A lot of them were repetitious but I did learn a lot about this property by reading some of these and people that had information that I was not aware of. That I thought them very interesting and very helpful.

MR. ROGERS: In response to something you had mentioned it didn't, I didn't weed it down much based on the fact that some, each, usually they end up carrying through something that hadn't showed up earlier. So you can have one person's individual piece.

MR. BROOK: Yeah.

MR. ROGERS: Based on how an email train goes. Out of being conservative I wanted to make sure that everybody got heard.

MS. BENSON: Yes everybody deserves to be heard. I was not at the December meeting. Did the applicant present us with a plan of that property? I would very much like to see the rights. I'd like to just have a look at that property to see how much space there is to do some of these things.

MR. BROOK: I think we do. We have pictures.

MS. BENSON: Do we have pictures? I know the property well. I'm just saying.

MR. BROOK: I don't know if they had plans.

MS. BENSON: I don't know.

MR. ROGERS: I'll look and see what we have at the Department as well as I'll speak with the applicant.

MS. BENSON: Okay.

MR. BROOK: But I do understand that efforts have been undertaken to protect this property by that they will leave the tarp over the roof is that right and boarding up the windows?

MR. ROGERS: Yeah correct. This is in the package in the big packet. The applicant's attorney had agreed to perform essentially emergency actions to try to cease it to some extent, to prevent it against additional decay while additional options were examined.

MR. BROOK: Right.

MR. ROGERS: Between the public and the owner.

MR. BROOK: Is the owner in any difficulty with code enforcement at the County while this is under way?

MR. ROGERS: This, so with regard to this application there is an open violation based upon the complaint that was lodged against the building. The actions have taken it through us as well as the demolition permit or whatever actually gets it coming, what may come otherwise are the actual remedies to what the violation is. So that being said they either have to bring it into a safe condition that actually meets the building code, the property maintenance code which is one route whether it's being adaptively reused or put into a condition that's actually safe or they end up having to demolish it.

MR. BROOK: My question is do they have time to do something about this?

MR. ROGERS: Yes. Code enforcement is not acting on it long term.

MR. BROOK: All right. That's what I was interested in.

MS. BENSON: Barbara do you have a question?

MS. SILBER: No I think he.

MS. BENSON: Okay.

MS. SILBER: I do have one question.

MS. BENSON: Yes.

MS. SILBER: I know there was lengthy material from the public and the comments. Have there been any groups that have sort of thrown their names out there as a group that maybe interested in using this space? Has there been, you know, any interest?

MR. ROGERS: So there's been a lot of ideas.

MS. SILBER: Right.

MR. ROGERS: There hasn't been anybody who has committed in any sense that I've been made aware of by the applicant. That would be something that's specifically would be between the applicant. Barbara I've had a lot of people have interesting and good ideas.

MS. SILBER: Right. Okay.

MS. BENSON: All right.

MR. BROOK: Do we need to place a hold on this?

MR. ROGERS: You never actually made a motion so.

MR. BROOK: I move that we hold the demolition permit on this.

MS. BENSON: A second.

MR. ZAHRALDDIN: Second.

MS. BENSON: All in favor.

. . . (Everybody said aye except for Ms. Anderson who had not arrived yet and Mr. Johns who abstained) . . .

MR. JOHNS: Abstained.

MS. BENSON: Motion carries. One abstention. All right now we move onto the next application.

MR. ROGERS: The next application is Application 2017-16871, 5482 Summit Bridge Road, Appoquinimink Hundred associated with a Major Land Development plan for Blackston Cove. A demolition permit

for one of the A. S. Naudain Houses.

I have provided you with a packet I got from the State Historic Preservation Office. In there are old pictures of the building itself as well as some very generic floor plans. So the State Historic Preservation Office had mentioned that if ideally in this situation with the limited amount that they have it's showing up on Beers which here's the, I have the Beers Atlas out it's one point along the road or right along the railroad along here. So that's kind of, it's only marked as one point which makes it difficult to decipher much pass that.

MR. BROOK: Is it on the east side of the railroad tracks?

MR. ROGERS: It's on the east side.

MR. BROOK: So going down 896 it's across the railroad tracks is that what your saying?

MR. ROGERS: Well it points over here. You get pass Naudain right here. So that comes off as granted I can't tell you what old roads are from.

MR. BROOK: Okay.

MR. ROGERS: The 1860's but it comes right over here.

MR. BROOK: Okay.

MR. ROGERS: And again it's one general area. It's probably part of a much bigger complex which is atypical. But so that being, if they, they would if given the opportunity like to have updated photos up to standard as well as floor plans that actually have measurements to them. But that's only bringing up the request of the State Historic Preservation Office which again is the record of which they have for this structure which is some old photos. And

regrettably when the University did this back in 1980 they did not do that.

MR. BROOK: It seems to me that this is a house that I asked the owner if he had attempted to sell it and he said he had but that he had not tried it through a real estate agent. And also we don't have any information from a structural engineer as to the condition of the property.

MR. HEILMAN: Beginning last week on the 29th when we received this I brought copies if you'd like to see them. If you have questions?

MR. ROGERS: Not you.

MR. HEILMAN: What's that?

MR. ROGERS: So if you'd like to submit it into the record.

MR. HEILMAN: Yes please.

MR. PEARCE: And Homer did, he has been trying to sell it for the last two years. He had a renter originally.

MR. BROOK: I think he said at the meeting that he had tried to sell it himself. He had not engaged the services of a real estate agent.

MR. WILLIAMS: I sold the plot to them. Over the course of over four or five years I had about four people interested enough to come look at it. None of them ever made an offer.

MR. ROGERS: Do you want to come to the table?

MS. BENSON: Yeah we need you to come to the table. Give us your name for the record because we have a lovely recording system but it's not great.

MR. BROOK: Theoretically your not supposed to be talking. This

is a business meeting but.

MS. BENSON: Well no we can ask questions.

MR. BROOK: Yeah we can ask questions.

MR. WILLIAMS: Should I come up there?

MR. BROOK: Yeah come on up.

MS. BENSON: Please.

MR. WILLIAMS: I had about four people that were willing that wanted to come and look at it.

MR. ZAHRALDDIN: Can you identify yourself for the record.

MR. WILLIAMS: Yeah Homer Williams, the owner of the property. None of them ever made an offer. When we were delaying with the exploratory permit for the Blackston Cove lot I went back to two people who had shown some interest and also some capability for a fixer up ability and went back to them and told them I'll sell it to you as is. One of them said that they were no longer interested. And the other one came and looked it over well. Had a father with him who was fan of the architecture but they said it was way too much to be done for their interests. And I was trying to sell it to them for \$125,000.00.

MR. BROOK: How much land?

MR. WILLIAMS: 1.6 acres. And now vandals have broken in there since and they have taken all the.

MR. BROOK: What is the land worth?

MR. WILLIAMS: Huh?

MR. BROOK: What is the land worth if the house wasn't on there?

MR. WILLIAMS: About a hundred grand. That's what you would

list it as. It's on a high lot on a point.

MR. BROOK: Yeah.

MR. WILLIAMS: It's a nice lot.

MR. HEILMAN: I'm a licensed real estate broker associated with this whole transaction.

MR. BROOK: You might as well come up too.

MS. BENSON: You got to give us your name.

MR. HEILMAN: My name is Jay Heilman. So Homer had been working with one of my previous business partners Mike Savagio.

MS. BENSON: Yeah we received his information.

MR. HEILMAN: So Michael was working with Homer as well as I believe the daughter is a licensed real estate agent Homer.

MR. WILLIAMS: Yes.

MR. HEILMAN: In discussing what to do in conjunction with the Blackston Cove community. So in the negotiations that we had gone back and forth on this originally we had discussed with Homer the possibility of fixing up the home and helping him to try to get to sell it. Unfortunately the cost associated with that and how much it would take to fix it up would put it outside the market price. So we've made.

MR. BROOK: How did you determine that?

MR. HEILMAN: Based upon everything that you see in that structure report.

MR. BROOK: I haven't had a chance to look at it yet.

MR. HEILMAN: That's fine and we had submitted it on the 29th of January so.

MR. BROOK: Yeah.

MR. HEILMAN: We had hired as you requested Mr. Brook to have a structural engineer put their name to it along with looking at the property between myself and Landmark Homes to determine what we would need to do to take this from what its current state is to a sellable state where a viable buyer can come along whether it was a conventional buyer, a FHA buyer, or something of that magnitude. With an FHA buyer as you might know you are very restricted to what needs to be done to a house of that nature.

MR. BROOK: This house probably needs to go to a person that can do a lot of work themselves.

MR. HEILMAN: Sure. Yeah.

MR. BROOK: This is a beautiful house. It's an historic house. And that's why I was really interested in getting some more detail about it which is we hate to lose these things because when they are gone they are gone.

MR. HEILMAN: I understand that. I've a house that was built in the 1800's that I moved and refurbished myself.

MR. BROOK: Great. This house looks like it would be ideal for somebody that has some talent to come in and do that over a period of time. I know it costs more if you hire a contractor to come in and do everything that needs to be done to it. But we don't have any of those numbers in front of us either do we or are they are in this?

MR. HEILMAN: Not that I'm aware of. What it would cost to fix up the house.

MR. WILLIAMS: Oh.

MR. BROOK: Have someone come in and give an estimate.

MS. BENSON: Well it says that it is the opinion of the person who signed the letter that the repairs and "upgrade" would exceed the value of the residence. If we feel more comfortable.

MR. BROOK: Which is apparently is what \$25,000.00.

MS. BENSON: Is there a numbers quote to that?

MR. BROOK: Yeah I would like a number.

MR. JOHNS: Can I ask what the value, what the house, the new houses what they would be selling for?

MR. HEILMAN: They are estimated to start at about five hundred. Base price.

MR. WILLIAMS: Sell it for around \$150,000.00, a \$175,000.00.

MR. BROOK: Don't you think you can get more then that for it?

MR. WILLIAMS: I don't know.

MR. JOHNS: The houses right next door to you will be \$500,000.00.

MR. HEILMAN: Too much difference of a different entity. Your talking about 5,000 square foot homes.

MR. BROOK: Your not building an historic.

MR. HEILMAN: I agree.

MR. WILLIAMS: That guy has a lot of pictures in there too. Unfortunately the condition of it inside is.

MR. BROOK: Okay.

MR. WILLIAMS: It looks a lot better outside then inside.

MR. BROOK: Well it looks great outside.

MR. WILLIAMS: Yeah.

MR. BROOK: It really does.

MR. WILLIAMS: Yeah.

MR. BROOK: The few pictures I have of the inside look pretty good.

MR. WILLIAMS: No. The inside got some very, you know, it' got leaking from the third floor down the chimney, down one chimney.

MR. BROOK: Sure. All that's fixable.

MR. WILLIAMS: Oh yeah.

MR. BROOK: So I'll look forward to reading the report that we got tonight. I don't have any more questions.

MS. BENSON: All right does anyone have any more questions? John.

MR. DAVIS: Is there a cost estimate for a concept cost estimate coming that correlates the cost of all these repairs?

MR. PEARCE: Sure. But we don't currently have one.

MR. DAVIS: I think it would be helpful to see, you know, the cost of all these repairs relative to the value of the house.

MR. BROOK: Can you have that by our next meeting, our next hearing?

MR. PEARCE: We'll do whatever we have to do for Homer but it's also, you know, as you guys know with historic houses pricing it out and restoring something is a lot of time and material especially with old moldings. A lot of them the whole first floor is totally all the beams are totally about a quarter or more of the beam itself has all termite damaged throughout the whole structure.

MR. BROOK: Is that in this report?

MR. PEARCE: That is in this report. You can't even see the edges because of the water that has come in and I don't know when Homer did it but he foamed the whole basement wall to prevent all

that.

MR. WILLIAMS: The renter did that. The first renter did that.

MR. PEARCE: And then, you know, just replacing the whole roof itself. We'll get you guys numbers but.

MS. BENSON: I think that would be very helpful. Thank you for getting this. You know, we are moving now to be able to make a decision. I think this would be very helpful.

MR. PEARCE: All right.

MR. HEILMAN: One thing to note in that report and we are still trying to understand how this part of our condition is how this house is deemed to be in that historic that you were discussing that earlier. In that report issued in 1980 it said the condition of the house at that time was just good. And then it was also said in there it's questionable that it was even the Naudain House. If you look under the third or fourth page in there the next page after that I'm sorry, one more page there, as you see right there it says Naudain question mark and underneath it says Ladune. So I'm guessing my question here is how is this house deemed relevant to what we, the confusion here is how do they classify this house versus what we are asking.

MR. BROOK: Well one thing is the age.

MR. HEILMAN: Okay. Fair enough.

MR. BROOK: That's only one thing.

MR. HEILMAN: Okay.

MR. BROOK: Architectural style is probably another. I don't know if people of significance, historic significance has lived in this house or not.

MR. HEILMAN: Okay fair enough.

MR. BROOK: I just don't know.

MR. HEILMAN: Just from a personal point of view I've done a lot of resale in Odessa, a lot of the historic homes. I've also done a number of them in Middletown.

MR. BROOK: Also lost a lot in Middletown.

MR. HEILMAN: Yeah. North Cass Street. I've done a few, you know, Zach here from Landmark his mother-in-law runs the Odessa Library of a historic nature. So we are very involved in that grouping. So we are not trying to demo something of an historic nature. We are just trying to do something that benefits Mr. Williams.

MR. BROOK: I appreciate that and you understand what our job is.

MR. HEILMAN: Yep.

MR. BROOK: And our responsibility. And we appreciate the information you brought us this evening and I'll be happy to look at it.

MR. HEILMAN: Sure.

MR. BROOK:

MR. HEILMAN: If you want I can also include anything with the real estate in the comp's in that area.

MS. BENSON: All you can give us is very helpful.

MR. HEILMAN: Okay.

MS. BENSON: All right. Barbara.

MS. SILBER: Yeah I have a question. In the form, the CRS number 5845 there's a mention of a spring house. Is that spring

house still on the property anywhere? Any evidence of this spring house?

MR. HEILMAN: The spring house.

MS. SILBER: The spring house.

MR. PEARCE: Was there ever a spring house on your property?

MR. WILLIAMS: No I don't think so. I don't know. It doesn't exist at this point.

MS. SILBER: Okay. Thank you. I have one more question for Matt. This is provided by the Delaware State Historic Preservation Office.

MR. ROGERS: Yes. I got that at 4:15 today.

MS. SILBER: Okay. And they had sent in a recommendation, they had recommended.

MR. ROGERS: A couple of things that they.

MS. SILBER: Yep.

MR. ROGERS: Which they would like to improve their record would be floor plans for the building as well as archival photos.

MS. SILBER: Also photo documentation.

MR. ROGERS: Right. Updated photos that they come out clearer obviously than what the microfiche would be here.

MS. SILBER: Thank you.

MR. BROOK: Madam Chair I move that we hold this demolition permit until our next business meeting. That will give us a chance to look over the materials that was submitted that was given to us this evening as well as any other materials that might come to us.

MS. BENSON: Thank you.

MR. ZARHALDDIN: Second.

MS. BENSON: All in favor.

. . . (Everybody said aye except Ms. Anderson who had not arrived yet) . . .

MS. BENSON: Opposed? Abstained. Motion carries.

MR. ROGERS: The final item tonight on the agenda is Application 2017-17754, 740 Dutch Neck Road, St. Georges Hundred. A Demolition Permit for a single family dwelling circa 1920. I have spoken with the applicant as well as Kate over at.

MS. MORRISEY: Morrisey.

MR. ROGERS: Morrisey. Yes. I have no idea why I blanked out her name. Kathy Morrisey over at the University of Delaware about the potential we had mentioned that some things that typically support this that can be provided are additional photographs and items of such. So I put the applicant in contact preemptively with Katherine Morrisey just in case.

MR. BROOK: So that's a form we don't have. Isn't this a house that was reported to be in such bad condition that they weren't sure that they could even go inside safely and take the measurements.

MS. BENSON: Is it not condemned?

MR. ROGERS: It's not actually condemned. I spoke with code enforcement, however, that's, I also speaking with the University is covered insurance wise and there is.

MR. BROOK: If one of them falls through the floor they are covered is that what your saying?

MR. ROGERS: That's exactly what Kate told me. No, that which is but again looking at the condition of it would be a reason that

I'd say I would say the Department not necessarily get measurements or otherwise for it. Photographs would probably be at the most which would be probably safe to do.

MR. JOHNS: Do we have any indication that this house actually has any historical significance?

MR. ROGERS: Outside of its age nothing.

MR. JOHNS: I mean I don't see where it has any architectural significance. We don't have any indication that anybody of significance slept here. I mean I'm not so sure it falls into the purview of historic.

MR. ROGERS: And that's why I would say at the most I would say photographs would be appropriate. I think anything more than that would be risky at best.

MR. BROOK: I think this house is clearly in worse shape than the one we just talked about.

MS. BENSON: Barbara.

MS. SILBER: Question. This form.

MR. ROGERS: The CRS form.

MS. SILBER: The CRS form. Yeah. Was this filled out as part of a compliance project do you know?

MR. ROGERS: I'm not exactly certain of the origin from it outside of the fact that it was filled out and maintained under the State so.

MS. SILBER: It has a compliance feel to it so.

MR. ROGERS: It does.

MS. SILBER: Oh wait wait wait here it is. Here it is. There is a project. Page 12. It looks like it was done for the Red Lion

Creek transmission line rebuild. So do we know if this was evaluated per say as far as historic significance?

MR. ROGERS: It was just CRS.

MS. SILBER: It was just CRS. Okay.

MR. JOHNS: I move that we release the hold for the demo for this house. I don't see where it really has any significance historical history for New Castle County.

MS. BENSON: Is there a second?

MR. BROOK: I have another motion if that one fails.

MS. BENSON: Well that one has failed.

MR. BROOK: I move that we release the demolition permit for this property conditional upon the proper photographic record being forwarded to us.

MS. BENSON: You mean SHPO standards.

MR. BROOK: Yes it has to be SHPO standards. Yes.

MR. ROGERS: Archival photographs. It's the photographs that we discussed. SHPO is the State Historic Preservation Office.

MS. BENSON: Is there a second?

MR. JOHNS: I'll second it.

MS. BENSON: All in favor.

. . . (Everybody said aye except Ms. Anderson who had not arrived yet) . . .

MS. BENSON: Opposed? Abstentions. Motion carries. Thank you.

MR. ROGERS: Board members do you want the Department once we receive those photos to release it or wait until the next hearing and provide you with those prior to the vote?

MR. JOHNS: I'm fine with it being.

MR. BROOK: I think as soon as you have what's required I think it's okay. That's my view.

MS. BENSON: Yeah.

MR. ROGERS: And I'll send it to you once we have those photographs.

MS. BENSON: We authorize you to release it once they have completed the requirements. Okay. All right now we move down to the Report of the Preservation Planner.

MR. ROGERS: We have no official report. I have no official report. We have closed the application process for I hope someday to my replacement. Not that I don't dislike doing it.

MR. BROOK: I'm sure you love being here.

MR. ROGERS: Of course I do. I'm going to be here any ways through 10 or 11 o'clock.

MR. BROOK: Okay.

MR. ROGERS: But we have closed off the applications on that. I have not heard anything more though as far as interviews or whose going to be on the Board for that. I've heard nothing more about appointments for any additional members. Currently we are still running low on numbers at the Planning Board. If you have any recommendations for the Planning Board we'll gladly take those and I'll forward it to the General Manager.

MS. BENSON: Thank you.

MR. ROGERS: Or the Historic Review Board.

MS. BENSON: Yes if you have any let Matt or me know.

MR. BROOK: Are there particular requirements for the Planning Board?

MR. ROGERS: No.

MR. BROOK: It doesn't have to be an architect or an attorney or?

MR. ROGERS: Nope. Average folk.

MS. BENSON: We're about the only Board that has.

MR. ROGERS: RPTAC is the other one that.

MS. BENSON: Yeah.

MR. ROGERS: Otherwise it's pretty much open.

MR. BROOK: A good citizen.

MR. ROGERS: A good outstanding citizen.

MR. BROOK: Okay.

MR. ZAHRALDDIN: So hold on a second so architects, attorneys, I'm both. At least I got degrees in them. Those aren't good people. I'm just trying to figure that out. And does that make it worse.

MS. BENSON: No we need special special people.

MR. ROGERS: Yeah you know special special people we'd like to put them up.

MS. BENSON: Special but not necessarily.

MR. BROOK: My question was whether it was required that there be attorneys or architects in there or not.

MR. ZAHRALDDIN: Oh God no.

MR. BROOK: This is why we are here that we ask questions, the hard questions right.

MS. BENSON: All right the Report of the Chair. I very much thank Matt for stepping in. I don't know how many hats he actually wears at the moment. And we are doing, I would say we are doing quite well when they don't hurry to give us a planner and I intend

to talk to the General Manager of expediting this.

MR. BROOK: Is the General Manager one that would also move forward with filling the Board's position?

MS. BENSON: Oh we've already had that discussion.

MR. BROOK: Have you?

MS. BENSON: I can have it again.

MR. BROOK: But is that who you have it with?

MS. BENSON: Yes.

MR. ROGERS: And then it goes up to the County Executive.

MS. BENSON: Yep.

MR. BROOK: Okay.

MS. BENSON: Okay. Public comments. Hearing none.

MR. ROGERS: I would like to mention.

MS. BENSON: Oh I'm sorry.

MR. BROOK: What?

MR. ROGERS: I have one item. This is not an application that's going before you but I wanted to give you a heads up just so that you are as informed as I am on it.

UNKNOWN: I'm going to say goodbye. And I liked your meeting and coming in and hearing you work and all that.

MS. BENSON: Well thank you we like comments like that.

MR. JOHNS: Well you could apply for the position.

UNKNOWN: Well I figured that already.

MR. BROOK: We have a couple of openings.

UNKNOWN: I haven't worked in 30 years.

MS. BENSON: And here is Karen Anderson joining us.

MS. ANDERSON: Thank you.

MR. BROOK: You made it right before adjournment.

MS. ANDERSON: Well I was like well oh I'm just going.

MR. BROOK: Well that was good timing. Yeah.

MS. SILBER: You get to watch a special presentation.

MR. ROGERS: Oh it's not a presentation.

MR. JOHNS: It is special.

MR. ROGERS: Everything is special.

MR. JOHNS: Except for attorneys.

MR. ZAHRALDDIN: And architects. Right.

MR. BROOK: How about archaeologists?

MR. ZAHRALDDIN: Don't start in on those.

MS. BENSON: I'm debating on that one.

MS. SILBER: I'm outnumbered here. I'm not going to say anything.

MR. ROGERS: There it is. So I've spoken with the State Historic Preservation Office. This is the item which will not actually be coming before you and it's going to be demolished as part of this plan. There's a couple of errors on the CRIS site which I don't know if you guys have dealt with CRIS it does have errors from time to time. And this one comes in it's a highly modified structure. It's something that having spoken with SHPO having reached out to Barbara we are not going to move forward with this going to the Historic Review Board based on what integrity is left of it. But I wanted to give you an opportunity to see it just in case. If you had any questions or in case it comes up.

MR. BROOK: Well where is it?

MR. ROGERS: It is right there.

MR. BROOK: Where is it?

MR. ROGERS: It's on the corner on 273. Your looking at an apartment complex that was developed. This house right here was originally preserved. Preserved by, it was not demolished.

MR. BROOK: Is that that house?

MR. ROGERS: That is this house.

MR. BROOK: 273 and what?

MR. ROGERS: 273 and Edinburg, Edinburg Drive.

MR. BROOK: Where is that? Newark?

MR. ROGERS: It's in.

MS. BENSON: Is that over by the hospital?

MR. ROGERS: Here.

MS. SILBER: Oh I know where this is.

MR. BROOK: Where is it?

MS. SILBER: There's a pizza parlor near there isn't there?

MR. JOHNS: Christiana Care is over here.

MR. ROGERS: Kum On Inn with a K.

MS. SILBER: No. No. No. And you go straight you'll hit Route 13 correct?

MR. JOHNS: Oh that's at the airport. Right behind the airport.

MR. ROGERS: Yeah between Route 1 and oh yeah.

MS. BENSON: Oh I see it, 273 and 13.

MR. BROOK: Thank you.

MR. ROGERS: I spoke with SHPO had a new individual doing PLUS and he had pulled off there's a CRS item for this which is actually a 1964 Cape Cod. And we had a discussion about this and this structure is circa 1949 and from our records it's neither one of

the, after discussing with them and dealing what it was they are going to go down and send somebody down to look at it just because they brought it up the PLUS. But they understand the position of not actually preparing a report for this one.

MS. SILBER: What's going to happen? Are we allowed to know?

MR. ROGERS: Yes. There's a plan. They are going to be more apartment complexes that actually match with the rest of the development.

MS. BENSON: That poor house has been altered beyond recognition.

MR. ROGERS: So I wanted to make sure though to reach out to you all. I spoken to the Councilperson as well. So pretty much everybody that would have an idea has had it forwarded.

MR. BROOK: Does it have a sign on the property yet, the big orange sign?

MR. ROGERS: Not yet.

MR. BROOK: Okay.

MS. BENSON: Thank you Matt.

MS. BENSON: Now any more business to come before us? If not I entertain a motion for adjournment. We can have weighty discussions if you prefer.

MR. JOHNS: I move to adjourn.

MR. BROOK: Second.

MS. BENSON: All in favor.

. . . (Everybody said aye) . . .

MS. BENSON: Motion carries. (Whereupon this hearing was completed at 5:47 p.m.).