

**MINUTES
BUSINESS MEETING
NEW CASTLE COUNTY HISTORIC REVIEW BOARD
DEPARTMENT OF LAND USE – GILLIAM MULTIPURPOSE ROOM
67 READS WAY, NEW CASTLE, DELAWARE
March 7, 2023
5:00 P.M.**

The Business Meeting of the Historic Review Board of New Castle County was held on Tuesday, March 7, 2023 via Zoom meetings.

The meeting was called to order by John Davis, at [5:03 p.m.]

The following Board members were present:

John Davis
Barbara Silber
Karen Anderson (joined 5:15)
Steve Johns
Jean Hershner
Perry Patel
Nannette Swadey
Robert Duke (joined 5:09)
Kevin Barni

The following Board members were absent:

None

Historic Review Board, Department of Law

Colleen Norris

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

Betsy Hatch
Shane Bailey

RULES OF ORDER

Ms. Hatch read the rules of order into the record.

MEETING MINUTES

February 7, 2022 Business Meeting Minutes

On a motion made by Mr. Patel and seconded by Mr. Johns, the Historic Review Board voted unanimously to approve the meeting minutes from the February 7, 2022 Business meeting.

HISTORIC MARKER PROGRAM

None.

OLD BUSINESS

NEW BUSINESS

App. 2023-0048-H: 39 Manor Avenue. (TP 06-085.00-104.) Southwest side of Manor Avenue, south of the intersection with Palace Avenue. Partial demolition and building permit for exterior modifications on 39 Manor Avenue, constructed ca. 1920. NC6.5 and HTO Zoning. CD 8.

At a meeting held on March 7, 2023 the Historic Review Board considered the proposed application, public testimony provided at the February 21, 2023, public hearing, and the Department of Land Use Recommendation.

On a motion made by Mr. Johns and seconded by Ms. Swadey, the Historic Review Board voted unanimously to recommend **CONDITIONAL APPROVAL**, with the following condition:

1. The applicant consider revising the proposed roofline of the second-story sleeper porch to be a low-pitched, shed roof or low-pitched, hipped roof in order to lessen any impact on the historic form of the building.

The motion was adopted by a vote of 8-0-0-1 [In Favor: Davis, Silber, Anderson, Johns, Hershner, Patel, Swadey, Barni, Duke; In Opposition: None; Abstention: None; Absent: Anderson.]

Discussion preceding the vote included the following:

Ms. Hatch read the Department of Land Use recommendation into the record. There was no further discussion by the Board.

App. 2023-0049-H: 20 Adams Dam Road. (TP 07-019.00-005.) South side of Adams Dam Road, northwest of the intersection with Rockland Road. Christiana Hundred. Building permit for an attached addition off the rear of the Le Carpannter, House, constructed ca. 1850. SE Zoning. CD 2.

At a meeting held on March 7, 2023 the Historic Review Board considered the proposed application, public testimony provided at the February 21, 2023, public hearing, and the Department of Land Use Recommendation.

On a motion made by Mr. Patel and seconded by Ms. Silber, the Historic Review Board voted unanimously to recommend **APPROVAL** of the proposed application. The motion was adopted by a vote of 9-0-0-0 [In Favor: Davis, Silber, Anderson, Johns, Hershner, Patel, Swadey, Barni, Duke; In Opposition: None; Abstention: None; Absent: None.]

On a motion made by Mr. Johns and seconded by Ms. Hershner, the Historic Review Board voted to provide a recommendation of **APPROVAL** to the Board of Adjustment regarding the requested variances due to the structure's location within the required front setback.

Discussion preceding the vote included the following:

Ms. Hatch read the Department of Land Use recommendation into the record. Ms. Hershner commended the homeowner for taking great lengths to establish a design that is in the spirit of the house.

App. 2023-0050-H: 763 S DuPont Hwy. (TP 10-045.00-001.) West side of S DuPont Hwy, south of the intersection with Federal School Lane. New Castle Hundred. Partial demolition of the two-story, wood-frame structure on the west side of the McCrone House, constructed ca. 1840. S Zoning. CD 7.

At a meeting held on March 7, 2023 the Historic Review Board considered the proposed application, public testimony provided at the February 21, 2023, public hearing, and the Department of Land Use Recommendation.

On a motion made by Ms. Anderson and seconded by Mr. Patel, the Historic Review Board voted to grant **APPROVAL** of the proposed demolition request in an effort to help mitigate any further damage to the McCrone House and eliminate any health, safety, and welfare hazards the subject site poses with the following recommendation:

1. The applicant consider an archaeological investigation of the site when feasible in the future.

The motion was adopted by a vote of 9-0-0-0 [In Favor: Davis, Silber, Anderson, Johns, Hershner, Patel, Swadey, Barni, Duke; In Opposition: None; Abstention: None; Absent: None.]

Discussion preceding the vote included the following:

Ms. Silber noted the likelihood of archaeological resources on the subject site and stated that she believed the site warranted investigation at some point in the future. Ms. Silber made a motion that was seconded by Ms. Anderson to include a recommendation that the applicant consider an archaeological investigation of the site when feasible in the future.

ANNUAL REVIEW OF RULES OF PROCEDURE

Ms. Norris provided a background of previous discussions by the Board regarding the proposed change of the Rules of Procedure to account for virtual and hybrid board meetings. She explained to the Board members the requirements of the State of Delaware's Freedom of Information Act (FOIA) and how FOIA impacts hybrid meetings. Ms. Norris read the existing language in the Board's Rules of Procedure regarding meetings and hearings and noted the proposed changes the Board had discussed a few months prior. Ms. Norris answered the Board's questions regarding FOIA laws. In the Board's discussions, Ms. Norris noted that every HRB agenda includes a statement that notes that the meeting is following Delaware FOIA.

On a motion made by Mr. Johns and seconded by Mr. Patel, the Historic Review Board voted to amend Article V, Section 1 of the Rules of Procedure to state:

"All meetings and hearings of the Historic Review Board shall be open to the public and compliant with the Delaware Freedom of Information Act. Any action calling for a formal vote shall take place only at a public meeting or hearing which shall be compliant with the Delaware Freedom of Information Act."

The motion was adopted by a vote of 9-0-0-0 [In Favor: Davis, Silber, Anderson, Johns, Hershner, Patel, Swadey, Barni, Duke; In Opposition: None; Abstention: None; Absent: None.]

The proposed language will be subsequently read for a second time into the record at the following business meeting.

REPORT OF THE PRESERVATION PLANNER

Ms. Hatch noted the next public hearing would be held on March 21, 2023. She welcomed Mr. Barni and Mr. Duke to the Board.

REPORT OF THE CHAIRPERSON

None.

COMMENTS FROM THE PUBLIC

None.

ADJOURNMENT

ATTEST:

Richard E. Hall, AICP
General Manager
Department of Land Use

John R. Davis
Chairperson
Historic Review Board