

**MINUTES
BUSINESS MEETING
NEW CASTLE COUNTY HISTORIC REVIEW BOARD
DEPARTMENT OF LAND USE – GILLIAM MULTIPURPOSE ROOM
67 READS WAY, NEW CASTLE, DELAWARE
April 4, 2023
5:00 P.M.**

The Business Meeting of the Historic Review Board of New Castle County was held on Tuesday, April 4, 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
Jean Hershner
Perry Patel
Nannette Swadey
Robert Duke
Kevin Barni

The following Board members were absent:

Steve Johns

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

March 7, 2023 Meeting Minutes

On a motion made by Mr. Patel and seconded by Ms. Silber, the Historic Review Board voted unanimously to approve the meeting minutes from the March 7, 2023 Business meeting.

HISTORIC MARKER PROGRAM

None.

OLD BUSINESS

None.

NEW BUSINESS

App. 2023-0104-H: 6411 Kennett Pike. (TP 07-001.00-007). East side of Kennett Pike, 246 feet north of Burnt Mill Road. Subdivision plan to create two new lots, including the historic Line House, ca. 1814. NC2a zoning. CD 2.

At a meeting held on April 4, 2023 the Historic Review Board considered the proposed application, public testimony provided at the March 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 recommend **APPROVAL** of the application, with the following recommendation:

1. The applicant exercise caution during excavation due to the potential for encountering archaeological resources not only in the Delaware portion of the site, but across the entire property

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

Discussion preceding the vote included the following:

Ms. Hatch read the Department of Land Use recommendation into the record. Ms. Silber made a motion to amend the initial motion of approval to include a recommendation regarding archaeological resources. The motion to amend was seconded by Mr. Patel. The Board adopted the motion to amend by a vote of 8-0-0-1 [In Favor: Davis, Silber, Anderson, Hershner, Patel, Swadey, Barni, Duke; In Opposition: None; Abstention: None; Absent: Johns.] Mr. Patel inquired if the HRB has any authority over the Pennsylvania portion of the property. Ms. Hatch clarified that the HRB only has jurisdiction over the New Castle County, Delaware portion of the plan. Ms. Norris noted that the Board may include a recommendation emphasizing a hope of good will; however, that statement wouldn't have any legal authority.

Ms. Silber inquired about the required conservation easement and if it was required by the New Castle County Code. Ms. Hatch noted that the UDC would require protection of intrinsic

qualities, which can be accomplished through a conservation easement, noting the house and wall that are located within New Castle County would be included in a conservation easement identified on the record plan. Ms. Hershner noted that the owners didn't appear to have a long term plan for the property and asked if the conservation easement would protect the resource regardless of short and long term plans. Ms. Hatch confirmed that the conservation easement would protect the historic resources. Ms. Hershner thanked Ms. Hatch for the clarification and noted that her main concern was the protection of the house; however the required conservation easement addressed that concern.

App. 2023-0110-H: 19 W Main Street. (TP 09-030.30-004). North side of W Main Street, 479 feet northwest of the intersection with N Old Baltimore Pike. Demolition permit to demolish a ca. 1930 detached garage. NC6.5 zoning. CD 1.

At a meeting held on April 4, 2023 the Historic Review Board considered the proposed application, public testimony provided at the March 21, 2023, public hearing, and the Department of Land Use Recommendation.

On a motion made by Ms. Anderson and seconded by Ms. Silber, the Historic Review Board voted to **RELEASE** the requested demolition permit with the following condition:

1. A photographic documentation of the garage and accompanying State of Delaware CRS forms be completed and submitted to the Department prior to the building's demolition.

The motion was adopted by a vote of 7-1-0-1 [In Favor: Davis, Silber, Anderson, Patel, Swadey, Barni, Duke; In Opposition: Hershner; Abstention: None; Absent: Johns.]

Discussion preceding the vote included the following:

Ms. Hatch read the Department of Land Use recommendation into the record. Mr. Barni inquired if the proposed addition to the house would be required to appear before the Board for consideration. Ms. Hatch noted that the addition would meet the definition of an historic alteration and would therefore be required to appear before the Board for consideration. Ms. Hatch noted that the owner had indicated that he was working with his design professional to finalize the plans.

Ms. Hershner noted for the record that she was having struggling the proposed demolition of the garage, as it was a beautiful, period example of a garage with hand-written history within the walls of the building. She noted that the garage was also structurally sound and did contribute to the overall character of its location.

ANNUAL REVIEW OF RULES OF PROCEDURE

Ms. Hatch read the proposed language for Article V, Section 1 of the Rules of Procedure into the record:

“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.”

REPORT OF THE PRESERVATION PLANNER

Ms. Hatch noted the next public hearing would be held on April 18, 2023.

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