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MINUTES
HISTORIC REVIEW BOARD PUBLIC HEARING
NEW CASTLE COUNTY
DEPARTMENT OF LAND USE
87 READS WAY, NEW CASTLE, DELAWARE
April 18, 2023
5:00 p.m.

TRANSCRIPT OF PROCEEDINGS
BEFORE CHAIRPERSON JOHN DAVIS

Transcribed by: Mitzi Limburg

A P P E A R A N C E S :

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3 BOARD MEMBERS : JOHN DAVIS , CHAIR
4 PERRY PATEL
5 KAREN ANDERSON
6 STEVE JOHNS
7 JEAN HERSHNER
8 NANETTE SWADEY
9 BARBARA SILBER
10 KEVIN BARNI
11 ROBERT DUKE

12
13 ALSO PRESENT : COLLEEN NORRIS
14 BETSY HATCH
15 SHANE BAILEY

16
17 FOR APPLICATION 2023-0164-H :

18 JOE DAY
19 LYNN MCLAURIN
20 WILLIAM DAVIS
21 UNKNOWN MALE
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23
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FOR APPLICATION 2023-0165-H:

BILL HOLLAWAY

NEIL CARLSON

BRETT SADDLER

FOR APPLICATION 2023-0166-H:

BILL HOLLAWAY

NEIL CARLSON

COURTNEY LYNHAN

P R O C E E D I N G S

1
2 MR. DAVIS: All right. With that,
3 we'll call to order the New Castle County Historic
4 Review Board Public Hearing of April 18, 2023. It is
5 5:00 by the clock on my computer here. We will start
6 with roll call in our brand new digs, here.

7 MS. HATCH: Yeah. Great. So, Ms.
8 Silber?

9 MS. SILBER: Present.

10 MS. HATCH: Mr. Patel?

11 MR. PATEL: Present.

12 MS. HATCH: Ms. Anderson?

13 MS. ANDERSON: Present.

14 MS. HATCH: Mr. Johns?

15 MR. JOHNS: Present.

16 MS. HATCH: Ms. Swadey?

17 MS. SWADEY: Present.

18 MS. HATCH: Ms. Hershner?

19 MS. HERSHNER: Present.

20 MS. HATCH: Mr. Barni?

21 MR. BARNI: Present.

22 MS. HATCH: Mr. Duke?

23 MR. DUKE: Present.

24 MS. HATCH: And Mr. Davis?

1 MR. DAVIS: Present.

2 MS. HATCH: We're all here.

3 MR. DAVIS: Yeah, next we'll go over
4 the Rule of Order.

5 MS. HATCH: So this is a public hearing
6 conducted by the New Castle County Historic Review
7 Board. The purpose of these hearings is to compile a
8 record of relevant information regarding each
9 application and how the proposed projects affect the
10 County's historic resources. To make the most
11 efficient use of time at this hearing, the following
12 rules of order are established:

13 Following the reading of each agenda
14 item, applicant and their representatives will make a
15 presentation not to exceed a total of 15 minutes.
16 Board members may ask questions of the applicant at
17 the conclusion of the presentation. The public will
18 then be invited to speak in the following order: 1)
19 those who wish to speak in favor; 2) those who wish to
20 speak in opposition; and 3) those who wish to offer
21 general comments. Speakers are encouraged to be brief
22 and to focus their remarks on historic issues. So
23 that everyone has had an opportunity to be heard, all
24 speakers are limited to five minutes. Any speaker may

1 ask the board to hold the record open for submittal of
2 written testimony if the time limit is not sufficient
3 for their needs. Speakers are not permitted to debate
4 the applicant but may ask questions that the applicant
5 may choose to answer during his or her rebuttal period
6 at the close of the public comment period.

7 All testimony is recorded and
8 transcribed, therefore all speakers must come forward
9 one at a time and state their name, address, and
10 organization affiliation, if any, before offering
11 comments. Random comments from the audience will not
12 be recognized and the public is asked to respect the
13 applicant's right to an orderly hearing. No
14 recommendations or decisions will be made by the
15 Historic Review Board at the hearing today. The Board
16 will evaluate the information, testimony, and comments
17 received here at a public business meeting to be held
18 the first Tuesday of next month.

19 MR. DAVIS: Thank you, Betsy. Seeing
20 that we have no old business, we'll move right into
21 new.

22 MS. HATCH: Okay. So our first
23 application on the agenda is 2023-0614-H: 19 Water
24 Street. TP 09-030.30-080. This is on the northwest

1 side of Water Street, southeast of the intersection
2 with East Main Street. White Clay Creek Hundred. This
3 is a code enforcement case for a demolition without a
4 permit of 19 Water Street, which is located within the
5 Christiana National Register Historic District. It's
6 NC5 Zoning and Council District 1. And I do have Joe
7 Day here from -- who is the code official for the
8 Department of Land Use, who will be speaking on the
9 application.

10 MR. DAY: Sure. Can you back to that
11 previous slide? So as you can see, 19 Water Street is
12 a parcel that is adjacent to the Christiana River. If
13 you're looking at that diagram there, Maguire Street
14 goes out to Old Baltimore Pike and Water Street goes
15 out to East Main Street and Christiana. The parcel
16 was purchased by the -- by the current owner, Morgan
17 Schuler Group, Incorporated, and Dr. Juan (ph) Garcia
18 in October of 2021. Shortly thereafter, the
19 Department received a complaint -- it was actually
20 December 13th of 2021 -- that the home was being
21 demolished without a permit. We went out, we did an
22 inspection. It, in fact, was being demolished. You
23 can go to the next slide. So it was demolished
24 without a permit. We had a hearing. With that

1 hearing, we had a hearing decision and, of course
2 (ph), along the process, we issued fines and fees for
3 not coming into compliance. Currently, the parcel
4 owes the County \$6,511.00, Rule to Show Cause hearing
5 fees, and for civil penalty tickets for high grass and
6 debris on the property.

7 Obviously, the house is actually gone
8 now and the County at this point wants to go in and
9 finish removing the foundation and just restore the
10 grade so that it doesn't look like it does today. And
11 that's really been the basis of our case. The only
12 thing I'll add is 19 Water Street is predominantly in
13 the flood plain. I don't -- you can't see it online
14 but is the -- the flood plain chart and you can see
15 here 19 Water Street is -- is predominantly in the
16 flood plain. Very little buildable area on the lot,
17 but again, we're just looking to remove the rest of
18 the foundation and restore the lot at this point.

19 MR. DAVIS: Okay. Thank you.

20 MR. DAY: Uh-huh.

21 MR. DAVIS: Do we have questions for
22 the applicant?

23 UNIDENTIFIED MALE: (Technical
24 difficulty).

1 MR. DAVIS: Questions from the Board
2 first, I'm sorry.

3 MS. HATCH: I don't see any hands
4 raised. I think Mr. Duke has his hand raised.

5 MR. DUKE: Yes, I -- I have a question.
6 Is that portion of the foundation that we saw in that
7 -- in the photograph -- it was one of the previous
8 photographs -- it looked like a block foundation. Is
9 that part of the original early 19th Century structure
10 or is that something else?

11 MS. HATCH: I believe it is part of the
12 foundation, Mr. Duke. Bear with us for a moment --

13 UNIDENTIFIED MALE: (Cross talk) --

14 MS. HATCH: -- to pull up the pictures.

15 MR. DAVIS: Yeah, we're -- we're
16 pulling up the photos.

17 MR. DAY: And which -- just one quick
18 second. Yes.

19 MR. DUKE: If you're looking top left
20 right there, am I reading that correctly that that is
21 a -- that looks like a -- just a eight-inch block
22 foundation?

23 MR. DAY: That's correct. That's what
24 appeared to be to me, too. (Cross talk) --

1 MR. DUKE: And that was -- that's part
2 of the early -- early -- that's part of the original
3 building.

4 MS. HATCH: So if -- if -- I believe
5 that there was also a retaining wall because the house
6 does front Water Street, so it -- it's possible that
7 it's also the retaining wall and the foundation is
8 further back.

9 UNIDENTIFIED MALE: (Inaudible).

10 MR. DUKE: Understood. All right.
11 Thank you.

12 MR. DAY: I pulled up the flood plain
13 map, if you guys wanted me to actually share that,
14 too.

15 MS. HATCH: Okay. (Cross talk) --

16 MR. DAY: (Cross talk).

17 MR. DAVIS: Is that Ms. Hershner that
18 has her hand up?

19 MS. HATCH: Yes, Ms. Hershner does have
20 her hand raised.

21 MR. DAVIS: Yep, Ms. Hershner?

22 MS. HERSHNER: Forgive me if I missed
23 this in the materials, but if the County goes in and
24 removes the remainder of the foundation, are those

1 costs passed along to the property owner?

2 MR. DAY: They are. Any time that the
3 County abates a property, we take the abatement cost,
4 we send a demand letter to the property owner, and if
5 it's not paid within 30 days, we file a lien on the
6 property.

7 MS. HERSHNER: Okay. Great. Thank
8 you.

9 MR. DAY: Yeah, and I just pulled up
10 the flood plan map in case anyone wanted to look at
11 that (cross talk).

12 MR. DAVIS: Thank you. I have a
13 question. When -- when -- when code enforcement first
14 went out, was the house already gone or was it --

15 MR. DAY: Yes --

16 MR. DAVIS: -- was it (cross talk) --

17 MR. DAY: I'm sorry we didn't include
18 those pictures. I got that today, but I believe that
19 you had that in the original packet, but yes, the
20 house was gone to the foundation when we got out
21 there.

22 MR. DAVIS: Okay.

23 MR. DAY: And there's multiple pictures
24 in there. I'm sorry, I should have --

1 MS. HATCH: (Cross talk) --

2 MR. DAVIS: So there -- so there --
3 there is a -- there is a basement. Has that been
4 backfilled?

5 MR. DAY: So it looks like --

6 MR. DAVIS: I can't tell from the
7 photos.

8 MR. DAY: -- it looks like partially
9 some of it has.

10 MR. DAVIS: Okay. See, I don't
11 remember seeing all of these, so --

12 MS. HATCH: Okay.

13 MR. DAVIS: -- were they -- were they
14 in the packet?

15 MS. HATCH: I forwarded all the ones I
16 had, but --

17 MR. DAVIS: Okay.

18 MS. HATCH: -- as of today, I can grab
19 them (ph), (cross talk).

20 MR. DAVIS: Yeah, that would be great.
21 Thank you. Any more questions from the Board?

22 MS. HATCH: I'm not seeing any hands
23 raised.

24 MR. DAVIS: All right. We'll open it

1 up to public comment and again, we will call for
2 public comment in favor of the application first.
3 We'll start with those in the audience. You're --
4 you're in favor of the application?

5 MS. MCLAURIN: Yes, in favor of
6 cleaning up the debris --

7 MR. DAVIS: Yes -- yeah --

8 MS. MCLAURIN: -- (cross talk).

9 MR. DAVIS: -- you can -- you can come
10 forward or -- or you can -- I think the -- the -- do
11 the microphones pick up over there?

12 MS. HATCH: They should pick up, but if
13 you could (cross talk) --

14 MR. DAVIS: Yeah -- yes. --

15 MS. HATCH: -- me, then you're (cross
16 talk) --

17 MS. MCLAURIN: I'm so sorry.

18 MR. DAVIS: That's okay.

19 MS. MCLAURIN: Lynn McLaurin. My
20 address is 17 Water Street. (Technical difficulty).

21 MR. DAVIS: Okay.

22 MS. MCLAURIN: I did have a question.

23 MR. DAVIS: Sure.

24 MS. MCLAURIN: When will this take

1 place, this -- the cleanup, the debris (inaudible)?

2 MR. DAVIS: Well, I don't -- I don't
3 know that I can speak to that. This is a public
4 hearing first, so we're hearing the application and
5 then we'll -- we'll make a decision on things at the
6 next meeting which --

7 MS. HATCH: Which is the first Tuesday
8 of next month, so --

9 MR. DAVIS: -- yeah.

10 MS. HATCH: -- (cross talk) following
11 the business meeting (technical difficulty) depending
12 on, you know, what the Historic Review Board
13 recommends.

14 MR. DAVIS: Yeah.

15 MS. MCLAURIN: I (inaudible) with --
16 with the lien that you talked about if the owner
17 doesn't pay the fees for the cleanup, once the lien
18 starts, that means that the State comes and takes over
19 (ph)? (Technical difficulty).

20 MR. DAVIS: So do you want to speak to
21 that, Joe?

22 MR. DAY: Sure. Thank you. Yeah, once
23 we put the liens on the property, this -- the County
24 doesn't own it. Ownership doesn't change, but for

1 anybody to transfer that property, those -- those fees
2 would have to be paid.

3 MS. MCLAURIN: I understand (ph).

4 (Cross talk) --

5 MR. DAY: So if the liens aren't paid
6 on -- on this property, they would all eventually move
7 to the tax bill as well.

8 MR. DAVIS: Okay. Do we have any other
9 hands raised?

10 MS. HATCH: I do --

11 MR. DAVIS: Okay.

12 MS. HATCH: -- William Davis, you
13 should be able to unmute yourself.

14 MR. W. DAVIS: Good afternoon, can you
15 guys hear me?

16 MR. DAVIS: We can, yes.

17 MS. HATCH: Yes.

18 MR. W. DAVIS: So I'm -- I'm obviously
19 speaking in favor of the county moving forward with
20 whatever work needs to be done here to finish off the
21 job that's already been completed. And if I missed
22 this information, I apologize, I logged in late, but I
23 was just curious if there's any further penalty or
24 mitigation because of the status of this being a

1 historic property or is this -- the fines that were
2 levied against the -- the demolition without a permit,
3 the same that would be levied, you know, against any
4 kind of property? So I was just curious because it
5 seems like, right, that someone can make that kind of
6 trade-off decision, cost benefit analysis, with future
7 historic properties, "Well, it's worth a year of taxes
8 to me to still demolish this historic structure." So
9 I'm just curious if there are any further penalties
10 because of the historic status that are being
11 considered and/or applied in this case. Thank you.

12 MR. DAVIS: Thank you. So Betsy, you -
13 - you want to speak to that?

14 MS. HATCH: I can speak to that. So
15 based on the building code, New Castle County Building
16 Code, the Historic Review Board does have the ability
17 to recommend to put (inaudible) that building permits
18 be withheld for a period of up to three years. They
19 can also provide a recommendation to the code official
20 that execution (ph) be proceeded with -- with --
21 through the County attorney. So those are some
22 additional penalties that the Historic Review Board
23 can impose in the event they find a historic resource
24 has been demolished without a demolition permit being

1 issued.

2 MR. W. DAVIS: Okay. Thank you.

3 MR. DAVIS: Thank you.

4 UNIDENTIFIED MALE: I have another
5 question (ph).

6 MR. DAVIS: Yes.

7 UNIDENTIFIED MALE: This property, is
8 infested with lantern flies. When the owner came and
9 was working on it (inaudible) I told him about it and
10 asked him (ph) if he would cut a few trees down in the
11 back of the property, which (ph) is lantern flies
12 leave like a secretion. It's -- it's ruining our
13 shed, fence that's there is black on portions there in
14 black (ph). And I wondered if there were grading of
15 this property that anything could possibly be done
16 (inaudible).

17 MR. DAY: I don't have a definitive
18 answer, but we will take a look at it and see if we
19 can do something. It has to a property maintenance
20 code violation for us to act, but if there's a
21 violation there, we'll act.

22 MS. HATCH: I don't see any further
23 hands raised online.

24 MR. DAVIS: Okay. Great. Thank you.

1 We'll now make it call for those in opposition to the
2 application.

3 MS. HATCH: I'm not seeing any hands
4 raised.

5 MR. DAVIS: Okay. Any general public
6 comment?

7 UNIDENTIFIED FEMALE: (Inaudible).

8 MR. DAVIS: Okay, sorry (ph).

9 MS. MCLAURIN: So the -- the owner that
10 tore down this home, this historical site, shouldn't
11 have been -- come here first to get permission and
12 just didn't -- so he just didn't do it or just ignored
13 it?

14 MR. DAVIS: Yes. The -- I mean, the
15 short answer is, "Yes," the owner should have come to
16 the County for the appropriate permits stipulating
17 (ph) (inaudible).

18 MS. MCLAURIN: I think it's (inaudible)
19 -- it -- it seems (inaudible).

20 MS. HATCH: Okay. Thank you.

21 MR. DAVIS: Yes, thank you.

22 MS. MCLAURIN: Uh-huh.

23 MS. HATCH: I am not seeing any hands
24 raised online either.

1 MR. DAVIS: Okay. If there are no
2 further public comments, we will move on to the next
3 application. Thank you very much for --

4 UNIDENTIFIED FEMALE: (Cross talk) --

5 MR. DAVIS: -- coming in. Thank you.

6 MS. HATCH: All right. Could you go
7 one more slide, Shane? Okay. Second on our agenda is
8 Application 2023-0165-H,

3701 Philadelphia Pike. TP
9 06-072.00-008. So the northerly corner of
10 Philadelphia Pike and Darley Road in Brandywine
11 Hundred. It says exterior modifications and
12 associated site improvements to the Felix Darley
13 House. The property is zoned NC6.5 and Historic --
14 and the property is also within the (inaudible)
15 District. It's located within Council District 8.
16 Let's promote (ph) the applicant.

17 MR. HOLLAWAY: Hello?

18 MS. HATCH: Hi. Bill, is there anyone
19 else that I should be promoting?

20 MR. HOLLAWAY: Neil Carlson, who is
21 with VanDemark & Lynch is also -- should be --

22 MS. HATCH: Yep. Neil Carlson. All
23 right.

24 MR. CARLSON: Hello?

1 MR. HOLLOWAY: There's Neil.

2 MR. CARLSON: Hello, everyone.

3 MS. HATCH: And you should have the
4 ability to share your screen --

5 MR. HOLLOWAY: Okay. Very good. Thank
6 you.

7 MS. HATCH: Of course.

8 MR. HOLLOWAY: And I will do so. Let's
9 see here. There we go. Folks, can you see that plan?

10 MR. DAVIS: Yes.

11 MR. HOLLOWAY: Okay. And I'm going to
12 allow Neil to talk about our site planning situation
13 there where we're adding two parking spaces and I will
14 talk about the -- the very minor modifications to the
15 house. As you've all received considerable
16 information on the project, this is the continuation
17 of the renovation of the Darley House inside from --
18 right now, it's renovated on the first floor and Brett
19 Saddler and the Claymont Renaissance Corporation are
20 housed in the building. Betsy, I think that Brett may
21 be also on the line. He did (cross talk) --

22 MS. HATCH: Yes, I can promote him.

23 MR. HOLLOWAY: That would probably be a
24 good idea just in case there are any questions. And

1 this is a project that we're performing for the State
2 of Delaware Historic and Cultural Affairs to renovate
3 the second floor to permit use as an office for
4 adjunct spaces to the Claymont Renaissance
5 Corporation's offices. In order to do that second
6 floor renovation, we're increasing the capacity of the
7 building. We had -- have to add a couple parking
8 spaces. We have a new condensing unit that's going to
9 put on the north side of the building adjacent to the
10 existing condensing unit. We're going to remove a
11 small window and improve what will be a fire exit.
12 I'm going to ask Neil Carlson from VanDemark & Lynch
13 just to talk about the site plan and the parking
14 spaces.

15 MR. CARLSON: Okay. So as Bill
16 mentioned, there's going to be additional office space
17 going in on the second floor as part of this
18 renovation. In order to better serve that, we'd like
19 to put two more parking spaces off -- to the left of
20 the page there. It will still be -- it will remain
21 noncompliant from a UDC parking standpoint because the
22 Claymont DRAC had given permission for a reduced
23 parking requirement for this, but -- so yeah, we've
24 got two parking spaces going in there. It's very

1 minor. We've also got some steps fronting on Darley
2 Road that are going to come out and get reconfigured
3 into a -- a state that will not put people using the
4 steps in the center of Darley Road. And that's about
5 it from a site perspective. Does anyone have any
6 questions about the site aspects?

7 MR. HOLLAWAY: We can show some
8 additional images of the -- what we're proposing and -
9 - and perhaps it might be good to start with the --
10 the photos of the house and let me turn that upright
11 for you. These were included in your packages. This
12 is the house from the front as seen from the main
13 road. And this is the side where you can see the
14 small entrance with a small gabled porch roof over it.
15 These stairs right now empty immediately onto Darley
16 Road. We're going to turn them perpendicular with a
17 period rail to move down along the side of the
18 building and to exit concurrently toward the front.
19 It will be a double-sided stair and those will be
20 brick steps to match what's there now you can see.
21 I'm sorry. And we have a small window that we're
22 going to be removed on the second floor and there will
23 be new siding put over that, hopefully to match the
24 existing -- the intent is to match the existing.

1 Okay. And on the north side, you can see here is an
2 existing air conditioning compressor. We're just
3 going to add another air conditioning compressor next
4 to it. And that's about the extent of what we're
5 doing.

6 I can show a picture of those stairs --
7 what we propose those to look like. You can see these
8 -- the demolition drawings. This is the stair
9 proposed and plan. You can see there's a rail right
10 along Darley Road and steps that go either direction.
11 Get it at elevation for you and here is an elevation
12 of what we propose those stairs to look like in the
13 modification. Everything else is pretty
14 straightforward.

15 MS. HATCH: Ms. Silber had her hand
16 raised and then so does Mr. Duke.

17 MR. DAVIS: Okay. Ms. Silber first and
18 then Mr. Duke.

19 MS. SILBER: Hi. Yes, thank you. Am I
20 correct in understanding that the place -- the
21 footprint of where the two proposed parking spaces
22 will go is currently unpaved; is that correct?

23 MR. HOLLOWAY: That is correct.

24 MS. SILBER: Okay. I also understand

1 that, you know, according to the State of Delaware
2 Division of Historical and Cultural Affairs inventory,
3 this particular parcel is actually identified as an
4 archaeological site, 7NCEC-15 (ph), I believe. And I
5 also understand that there's -- there was a survey
6 done in 2011 by JMA, which did encounter a series of
7 subsurface cultural features, some ranging from kind
8 of the 19th Century. How does -- one, do you happen
9 to have a copy of that report because I believe we did
10 not get a copy of that report with our packet? I
11 understand that archaeological information is
12 location-sensitive, so I understand if it was not
13 distributed completely -- and how does that fit -- and
14 how do the -- the cultural features that were
15 identified by the archaeologists -- where do they fall
16 within, you know, proximity to the proposed two
17 parking spots?

18 MR. CARLSON: I cannot answer that. I
19 have not seen the archaeological report.

20 MS. SILBER: Okay.

21 MR. HOLLAWAY: And --

22 MR. CARLSON: I can tell you that these
23 -- the excavation required for these parking spots
24 will be on the order of 10 inches to a foot deep.

1 MS. SILBER: Well, I think that -- they
2 -- they encountered them through remote sensing as
3 well as subsurface testing, so I'm looking and when I
4 look at the site, I think the form -- I don't know if
5 I -- I recommend maybe seeing if you can acquire a
6 form, but I do see that there's quite a bit of
7 cultural material that was recovered from there --
8 various artifacts. So what am I looking at here is
9 that there's a -- obviously a -- looks like a circular
10 brick-lined shaft -- late 18th to early 19th Century,
11 a -- aligned (ph) stones, perhaps 19th Century -- I'm
12 -- I'm reading straight off the site form here -- a
13 mortar brick wall, also estimated to be 19th Century,
14 as well as another stone wall foundation mortared as
15 well, 19th Century. Since they're not on the plan, I
16 have no way to, you know, comment in regard to that
17 and I think that may be something that warrants
18 examination. You know, within a foot, this stone wall
19 -- if the foundation is intact, you know, it is --
20 whatever is left truncated below surface. So it will
21 probably be very close to surface if little to no
22 filling has been performed on this particular site
23 historically. So (cross talk) --

24 MR. CARLSON: Are you able to share

1 that report?

2 MS. SILBER: I do not have the report.
3 I have -- I am able to -- to extract the site form.
4 Now because it's sensitive, I -- I will have to go
5 through Betsy and -- and I can coordinate with that,
6 as well, and maybe that -- that will be one way to do
7 that. I think that would be quite useful. I -- I
8 think the last thing that you'd want to do is
9 encounter something -- especially considering this is
10 a historic property with a known archaeological site
11 on it. So I think maybe -- is this something we can
12 coordinate with New Castle County to acquire a copy of
13 the full report? I think the full report will help
14 because it will, you know, I'm assuming, you know, if
15 the testing was done for this parcel, you know, the
16 optimal situation would be that -- that the
17 archaeologists determined that the two -- the
18 footprint -- the -- of the two proposed spots is clear
19 and devoid of archaeological features. That would be,
20 you know, the best thing for everybody, right? But if
21 not, that would, you know, may -- may change what
22 happens in regard to configuration of your spot
23 location.

24 MR. CARLSON: Yeah, that's

1 understandable. Betsy, do you have (cross talk) --

2 MS. HATCH: Yeah, I was -- I was about
3 to jump in. I am having to coordinate with the DHCA.
4 We will obtain the archaeological reports from them or
5 I just have to go through the proper channels and make
6 sure that I coordinate with their office to make sure
7 that anything that's submitted into the record is
8 appropriately redacted, so I can certainly follow up
9 with Neil, you guys, as the applicants, and with the
10 DHCA. Now I -- I did see that Brett Saddler does have
11 his hand raised and I know he's part of your group, so
12 he -- I'm wondering if he might be able to speak to
13 that if it's --

14 MR. DAVIS: Yeah, sure --

15 MS. HATCH: -- (cross talk) if that was
16 (cross talk) --

17 MR. DAVIS: -- and then we'll -- and
18 then we'll get to Mr. Duke's question.

19 MS. HATCH: Brett, you're muted.

20 MR. SADDLER: There we go. Hi,
21 everybody. How are you doing? I can't believe I
22 actually found this quickly, but I have the
23 archaeological report from (inaudible) (cross talk).
24 I am. I was like, what are the odds it's in this file

1 cabinet here that I barely use. And I -- it's there,
2 so I will give this -- it said Prepared for Bernardon
3 and Heiber (ph) Hollaway Architects by John Milner &
4 Associates, April 2011.

5 MR. HOLLAWAY: Okay. Yeah, that was
6 our initial study on that and I'm sure that we have
7 reviewed it. I'm standing in for a former colleague
8 who worked on this, so we will cross-check that and
9 delineate anything that we can to insure that in
10 cooperation with our civil engineers, VanDemark &
11 Lynch, to make sure we're not impinging on any of
12 those resources.

13 MR. SADDLER: All right. I'm sorry,
14 since I have the floor really quick and then I'll --
15 I'll mute myself. I'm not sure if this should be in
16 the public comment section or not, but since I'm here,
17 this is something the -- the CRDC have been lobbying
18 for for quite a while. I -- we basically have the
19 upstairs of the Darley House. A little bit of
20 demolition by neglect, unfortunately. It was getting
21 in bad shape, so we're finally moving ahead on turning
22 the upstairs into usable space and in this case, you
23 know, office space for either professional offices or
24 possibly a co-working space, but the good news about

1 that is not only will it take care of the structural
2 problems in the upstairs, second and third floor of
3 the house, it will also make the house to -- more
4 used. We have tried. We've had public meetings there
5 and the CRDC has its office and its meetings there,
6 but it's a sin. It's such a valuable resource that's
7 not used nearly enough. So I'm hoping that this Board
8 approves this application. And with that, I will --
9 if no questions, I'll mute myself.

10 MR. DAVIS: Thank you. Mr. Duke, you
11 had a question.

12 MR. DUKE: I just had a question on the
13 stair to the south of the Darley House. Right now
14 it's coming straight out to Darley Road. The -- the -
15 - the proposed changes have it turning to the left and
16 right. It looks like the grade from the existing
17 foundation, you know, slopes considerably from the
18 foundation down to Darley Road. Is there any
19 regrading proposed at the foot of that stair --

20 MR. HOLLAWAY: Yeah --

21 MR. DUKE: -- anything proposed for,
22 you know, what -- if the foundation is exposed (cross
23 talk)?

24 MR. CARLSON: There would have to be.

1 Yeah, there would have to be regrading and -- and we
2 would regrade to allow the stair to be constructed and
3 have the appropriate amount of landing space to get
4 away from the building. This is -- we're very lucky
5 that -- that the fire marshal has allowed this to
6 happen in this way and so without having to add a
7 second stair or some sort of a fire escape added onto
8 the building and so by utilizing what was the original
9 back stair to the house, we're able to create a -- an
10 additional exit from that second floor. So -- so yes,
11 we'll -- we're going to regrade that and make it as --
12 as easy as possible to egress the building.

13 MR. DUKE: Thank you.

14 MR. DAVIS: Is that Ms. Silber that has
15 her hand raised?

16 MS. HATCH: Yeah.

17 MS. SILBER: Just wanted to -- for the
18 record, so we will be getting a copy of the -- the
19 full report, as -- as much as possible, preferably
20 with the -- the original test locations would be ideal
21 for -- for this particular case for review. So I just
22 wanted to confirm that with -- with Betsy?

23 MS. HATCH: Yes, I will -- I will
24 follow up with the Delaware Division of Historic and

1 Cultural Affairs --

2 MS. SILBER: Thank you so much. Okay.
3 Wonderful.

4 MR. DAVIS: Further questions for the
5 applicant?

6 MS. HATCH: I'm not seeing any further
7 questions from the Board.

8 MR. DAVIS: Okay. If there are no more
9 questions, we'll move on to public comment.

10 MS. HATCH: Okay. Shane, could you
11 bring up that public comment space (ph)? Bill, if you
12 don't mind stopping sharing your screen?

13 MR. HOLLAWAY: Okay.

14 MS. HATCH: Thank you.

15 MR. HOLLAWAY: You're welcome.

16 MR. DAVIS: We'll pull up the slide
17 (ph) and make the call here.

18 MS. HATCH: (Inaudible) --

19 MR. DAVIS: (Cross talk) --

20 MS. HATCH: -- (inaudible).

21 MR. DAVIS: We'll make a call for those
22 in favor of the application, public comment?

23 MS. HATCH: Okay. I'm not -- oh, for
24 (inaudible), you should be able to unmute yourself.

1 UNIDENTIFIED FEMALE: Hello?

2 MR. DAVIS: Hello.

3 UNIDENTIFIED FEMALE: Just so you guys
4 know, I have a -- an electronic copy of the report.
5 Neil, I just sent it to you.

6 MR. CARLSON: Fantastic. I'm going to
7 look at it right now.

8 UNIDENTIFIED FEMALE: Okay. Just --
9 I'm -- I'm over here screaming, "I got it." It's
10 really -- literally right here, so -- but yeah. So
11 anyway, that was just what I wanted to let you know,
12 so.

13 MS. HATCH: Okay, great. I'll follow
14 up with you, too, as well.

15 UNIDENTIFIED FEMALE: I can -- I can
16 send it to you --

17 MS. HATCH: Okay.

18 UNIDENTIFIED FEMALE: -- right now
19 actually. So --

20 MS. HATCH: That's great and then I'll
21 just (cross talk) --

22 UNIDENTIFIED FEMALE: Yeah, if there's
23 --

24 MS. HATCH: -- you guys --

1 UNIDENTIFIED FEMALE: -- if there's
2 more to it, I think our archeology team will have it.
3 I just have the final report that was --

4 MS. HATCH: Okay.

5 UNIDENTIFIED FEMALE: -- sent to us,
6 so.

7 MS. HATCH: Okay, cool. Thank you.

8 MR. DAVIS: Thank you.

9 MS. HATCH: All right. I'm not seeing
10 any other hands raised.

11 MR. DAVIS: Okay. Then we'll move on
12 to those in opposition -- public comment in
13 opposition.

14 MS. HATCH: I'm not seeing any hands
15 raised.

16 MR. DAVIS: Okay. Any -- any general
17 public comment related to this application?

18 MS. HATCH: There are no hands raised.

19 MR. DAVIS: Okay, great. Thank you.

20 MS. HATCH: Bill and Neil should -- I --
21 - I assume I'm keeping you both on for this
22 application (cross talk) --

23 MR. HOLLAWAY: Okay.

24 MR. CARLSON: Yep.

1 MS. HATCH: All right. The last
2 application for the evening is 2023-0166-H, 300
3 Philadelphia Pike. TP 06-139.00-158. This is on the
4 southeast corner of the intersection of Philadelphia
5 Pike with Marsh Road, the north side -- on the north
6 side of Lore Avenue. Brandywine Hundred. This is a
7 parking plan with associated site improvements on the
8 Weldin House site. The property is zoned CN and
9 Historic Only Zoning and is within Council District 8.
10 And, Shane, if you could stop sharing your screen and
11 --

12 MR. HOLLAWAY: Okay. I will do that.
13 Okay. I'm Bill Hollaway with Bernardon. Again, we're
14 also working on this project for Delaware Historical
15 and Cultural Affairs. This project originally came
16 before this Board in, I think, 2020, for the
17 preliminary review of the exterior restoration. This
18 project is composed of two parts, the exterior
19 restoration and the interior renovation and with the
20 hopes to lease it out much the same way as Darley
21 House has been leased to the Claymont Renaissance
22 Corporation. This is a project -- or a project photo.
23 We're actually a little further along than these
24 photos that were included in your package. This is

1 the house. You can see that the reconstruction of the
2 porch is underway and the -- the roof has been
3 finished. You can see the -- the restoration of the
4 shingles. Sorry -- okay. Everybody okay?

5 MS. HATCH: I apologize. I had to
6 cough. I'm sorry.

7 MR. HOLLAWAY: No, that's okay. The
8 cleaning of the stone has been completed and one of
9 the big parts of the restoration was the -- the
10 restoration of the exterior to its roughly 1877 era
11 appearance. You can see the wing here in the back now
12 reconstructed minus its various additions since the --
13 the late 19th Century. And the stone on the back
14 cleaned. You can see the addition of a porch that was
15 there at one time and we're quite pleased with the
16 progress. This is the north side of the house. Stone
17 has been repointed, the scaffolding has been removed,
18 and this is another view. A little bit later where we
19 had the -- the stone all the way up to the chimney
20 repointed and you can see the other side of the
21 reconstructed wing to the west of the house.

22 We're coming back just because we have
23 two pieces of things that you haven't seen yet. One
24 is the -- well, it's actually -- you can see them both

1 in this elevation. It's the construction of a ramp,
2 handicapped accessible ramp, to get into that porch,
3 plus the stair which was not included in the exterior
4 restoration project. And let me zoom out a little
5 bit. And this is the architectural elevation of the
6 side looking -- it's a little confusing because
7 there's a stair that goes up to the porch. Behind it
8 is the stair that goes up to what will be the primary
9 entrance to the house once it's completed and then the
10 rail of the porch here and then you can see the ramp
11 and its detailing in the -- the end view. There are
12 also some site improvements. I don't know if those
13 come under the purview of the Board or not, Betsy. Do
14 we -- should we review those?

15 MS. HATCH: Yes, it -- the site
16 improvements also (cross talk) --

17 MR. HOLLAWAY: Okay. So --

18 MS. HATCH: -- (cross talk).

19 MR. HOLLAWAY: -- let me get to -- this
20 is our cover sheet. You can see this is a -- an image
21 which we presented at the last time we were before
22 you. This is in the -- probably -- could be early
23 19th Century, late or early 20th Century/late 19th
24 Century. Let me see. Okay. Let's -- that's Darley.

1 I'm sorry, I'm looking for our site plans. Neil, do
2 you have the site plans?

3 MR. CARLSON: I do -- if I can -- let's
4 see --

5 MR. HOLLAWAY: I apologize for that. I
6 thought I had them in this set (cross talk) --

7 MR. CARLSON: I think -- I think you
8 need to stop sharing before I can start, Bill.

9 MR. HOLLAWAY: I will do that.

10 MR. CARLSON: All right. Can we see
11 the plan, everyone?

12 MR. DAVIS: Yes.

13 MS. HATCH: Yes.

14 MR. CARLSON: All right. So from a
15 site perspective, DelDOT has required this sidewalk to
16 be widened to six foot. New Castle County required
17 this sidewalk to come up and give pedestrian access to
18 the handicap ramp. We have been very careful with
19 design of this portion of sidewalk to put it
20 essentially on existing grade out of a desire to
21 protect the root system of this gigantic sycamore tree
22 that covers most -- you know, a good chunk of the
23 whole site. They'll be a -- a little bit of regrading
24 of these two entrances here. Going to have the

1 handicap parking going right there. We are going to
2 reuse the existing flagstones out of the existing
3 flagstone walk. There is a nominal grade change when
4 you get up to here to the -- the proposed sidewalk, so
5 this last half of the existing flagstone walk has to
6 be dismantled and then reconstructed so it meets up
7 with the new concrete sidewalk at an ADA-compliant
8 grade. And that is it as far as site improvements.
9 Striping in parking as well -- there's no parking
10 striped out currently. Questions on the exterior
11 improvements, anyone?

12 MR. DAVIS: Ms. Silber?

13 MS. SILBER: Yeah, I think you probably
14 know what my question is now (cross talk) --

15 MR. CARLSON: I haven't seen a report
16 on this one either.

17 MS. SILBER: I have not either -- I
18 have not either. So I guess one question is -- I know
19 that you -- it sounds like you have to go through a
20 DelDOT review -- will this need to go through a -- any
21 Section 106 compliance review at all?

22 MR. CARLSON: Section 106 of what?

23 MS. SILBER: Of -- of the --

24 MR. HOLLAWAY: It's the federal --

1 MS. SILBER: -- federal --

2 MR. HOLLAWAY: -- that's the federal
3 requirement. No, there are no federal monies --

4 MS. SILBER: Okay.

5 MR. HOLLAWAY: -- being used on this
6 project that I'm aware of. Courtney Lynahan, who is
7 the representative -- the owner, who I should have
8 introduced earlier as one of the panelists -- I think
9 is available and she might be able to opine on your
10 question.

11 MS. SILBER: Okay.

12 MS. HATCH: I can just promote here.

13 MS. SILBER: So while -- while we're
14 getting that situated, what's really nice is that you
15 have a well-established, you know, area of potential
16 fact limits of (ph) disturbance. I do know -- I don't
17 -- I have not seen anything in the, you know, what is
18 available, you know, through the -- the Historic and
19 Cultural Affairs online database any information
20 regarding any archaeological studies that have been
21 conducted --

22 MS. LYNAHAN: We (cross talk) --

23 MS. SILBER: -- but I do know -- yeah.

24 MS. LYNAHAN: I was going to say we

1 have done limited --

2 MS. SILBER: Okay.

3 MS. LYNAHAN: -- we've done it based on
4 every time that we have done any sort of digging
5 around the site, so we have -- where the porch was
6 demoed on the south side, we did monitoring --

7 MS. SILBER: Uh-huh.

8 MS. LYNAHAN: -- and then kind of a
9 little ways on the other side of wrapping around the
10 sycamore, we put in an electric line and work was done
11 at that point as well. The report -- there was no
12 real -- there was nothing -- site-wise, there was no
13 real -- I think there were just a few minor artifacts
14 and stuff. The areas where there was -- used to be a
15 donut shop where --

16 MS. SILBER: Yeah.

17 MS. LYNAHAN: -- the electrical and
18 where that -- that -- so there -- there was a lot of
19 stuff previous that kind of disturbed, but nothing
20 that came through when they did those works. So, you
21 know, where this walkway is going, obviously, we would
22 have a question about if we wanted to do monitoring or
23 not, but there was never a -- a large-scale survey
24 done just by the nature of what was planned to be done

1 to the site.

2 MS. SILBER: Right.

3 MS. LYNAHAN: So.

4 MS. SILBER: I think the one part that
5 I'm, you know, a little interested in based on
6 historic mapping and so forth is, you know, I guess,
7 if -- if I'm assuming -- I'm looking at -- my section
8 of map is almost very similar to yours -- I'm assuming
9 the top of the plan sheet is north, right?

10 UNIDENTIFIED MALE: (Cross talk) --

11 MS. SILBER: So it would be the --
12 yeah, okay, good. So let's just for intents and
13 purposes, the southwest corner, which is outside of
14 your limits of disturbance, but it's my understanding
15 there used to be some sort of store that was there
16 early 20th Century. Whether -- I don't know how old
17 this particular (cross talk) --

18 MS. LYNAHAN: It was the -- it was a
19 donut shop in the 1950s --

20 MS. SILBER: In the 1950s? Okay.

21 MS. LYNAHAN: -- yeah -- yeah. I
22 actually -- there are several people who have told me
23 they remember going there as kids --

24 MS. SILBER: All right.

1 MS. LYNAHAN: -- so it's -- it's within
2 recent memory. Now there -- there's potential for
3 some questions about there being other outbuildings
4 that were out there.

5 MS. SILBER: Right.

6 MS. LYNAHAN: When I talked to my -- my
7 former CHAD colleagues who were part of the study back
8 in 2005, they do not remember those buildings being
9 out there and they do not remember any foundations, so
10 I'm not sure when they were taken out. We've -- I've
11 spoken to one of the people who lived at the property
12 prior to it being sold. She was there in the '40s.
13 She -- there was nothing -- so there's -- there's some
14 scattered oral history that needs to be sort of --

15 MS. SILBER: Right.

16 MS. LYNAHAN: -- taken down, but I can
17 say that the -- the donut shop, at least, was mid-20th
18 Century.

19 MS. SILBER: Oh, good.

20 MS. LYNAHAN: Yeah -- yeah, no -- no,
21 if it was -- if it was older, yeah, trust me, we would
22 -- there would be -- yeah.

23 MS. SILBER: Well, good -- good. You
24 know, I -- I think, you know, with these -- with these

1 historic properties, especially when there's, you
2 know, the -- the main dwelling is extant, but then who
3 knows what's in the backyard, right?

4 MS. LYNAHAN: Yeah, there's definitely
5 --

6 MS. SILBER: (Cross talk) --

7 MS. LYNAHAN: -- it was a carriage --
8 it -- they -- there was definitely -- there was at one
9 point a carriage-maker on the site, so we've -- we
10 have a feeling that the northern portion just lends
11 itself to having had an outbuilding out there
12 somewhere. Like I said, we don't have any plans for
13 that right now and the electric didn't hit that space
14 where it looks like there could have been something,
15 but, you know, there's the potential to find some of
16 those -- those outbuilding foundations is -- is
17 definitely -- it's out there. And as we, you know,
18 continue to sort of develop -- not develop, but
19 pretty-up the -- the site, you know, potentially put
20 in like a smaller garden or something, that's
21 something we're definitely going to want to keep in
22 mind and bring in somebody to keep an eye on -- out
23 for.

24 MS. SILBER: I always want to commend

1 projects that -- that, you know, take that proactive
2 approach in monitoring during, you know, small, minor,
3 you know, land disturbances because that -- that -- a
4 lot of times that -- that just saves a lot of scary
5 stuff later, you know.

6 MS. LYNAHAN: Yeah, no -- I will -- I
7 will hear from our State archaeologist if he sees
8 something and he's like, "Why is there a shovel on the
9 site? What are you planning?" So we -- we -- we know
10 (ph).

11 MS. SILBER: Okay. Yes, I -- I -- I
12 believe I know who your archaeologist is --

13 MS. LYNAHAN: Yes -- no, it's --

14 MS. SILBER: -- yes, I (cross talk) --

15 MS. LYNAHAN: -- it's good to have --
16 it's good to -- yeah, we always -- we always ask --

17 MS. SILBER: Okay.

18 MS. LYNAHAN: -- whenever we're going
19 to dig, so yeah.

20 MS. SILBER: Thank you so much.

21 MS. LYNAHAN: Yep, no problem.

22 MR. DAVIS: Ms. Swadey?

23 MS. SWADEY: Yes, as a neighbor who
24 lives only a few blocks away and a resident of --

1 lifetime resident of the area, I can tell you, yes, we
2 used to go to the donut shop in the 1960s and it was
3 just a one-story building. It was, like you said,
4 built probably in the '50s. This is also of interest
5 to me -- this particular plan -- because in -- if you
6 look at the CHAD report from 2005, Page 3 says, "In
7 2002, the house was threatened with demolition, but
8 was saved in 2003 by the efforts of local residents
9 and the Friends of Penny Hill." I was one of those
10 local residents. I was a member of the Friends of
11 Penny Hill and I'm the one who filed the legal brief
12 in support of the historic overlay. So I am glad to
13 see that it's finally coming to fruition.

14 MS. HATCH: I'm not seeing any hands
15 raised online.

16 MR. DAVIS: I'll make a final call for
17 questions for the applicants from the Board.

18 MS. HATCH: I'm not seeing any hands.

19 MR. DAVIS: Okay. Then we'll move on
20 to public comment. Shane, do you want to (cross talk)
21 --

22 MS. HATCH: Oh, Neil, if you don't mind
23 stopping sharing your screen.

24 MR. DAVIS: Yeah.

1 MR. CARLSON: Yep.

2 MR. DAVIS: So again we'll call for
3 public comment in favor of the application.

4 MS. HATCH: I'm not seeing any hands
5 raised.

6 MR. DAVIS: We'll make a call for
7 public comment in opposition.

8 MS. HATCH: There are no hands raised.

9 MR. DAVIS: Okay. Any general public
10 comment?

11 MS. HATCH: There are no hands raised.

12 MR. DAVIS: Great. Thank you. Move on
13 to report of the Preservation Planner.

14 MS. HATCH: The only thing that I have
15 for you is that -- actually, there are those two
16 things. We will be discussing these items at the May
17 2nd business meeting. And then just a reminder, I did
18 forward to the Board that there are some training
19 opportunities similar to what happened -- what the --
20 that was held last fall, so I did forward those to you
21 guys in case you would like further training being
22 held by the State Historic Preservation Office and PDI
23 (ph).

24 MR. DAVIS: Okay.

1 MS. HATCH: And I believe the Maryland
2 Historic Office (ph) is also partnering with that as
3 well.

4 MR. DAVIS: Okay. Thank you.

5 MS. HATCH: Sure.

6 MR. DAVIS: We'll make a final call for
7 public comment.

8 MS. HATCH: Shane, could you go to the
9 next slide? I'm not seeing any hands raised.

10 MR. DAVIS: Okay. If there is no
11 public comment, is there a motion to adjourn?

12 MR. PATEL: I make a motion to adjourn
13 the meeting.

14 UNIDENTIFIED FEMALE: I second.

15 MR. DAVIS: Thank you. All in favor?

16 BOARD MEMBERS: Aye.

17 MS. HATCH: All right. Thank you,
18 everyone.

19 MR. DAVIS: Thank you, everyone.

20 (Whereupon, this hearing concluded.)
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C E R T I F I C A T I O N

I, MITZI LIMBURG, certify that the foregoing is a true and accurate transcript from the official electronic sound recording.



Mitzi Limburg
Approved Transcriber

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