

CITY OF DOVER
HISTORIC DISTRICT COMMISSION
November 19, 2015

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, November 19, 2015 at 3:08 PM with Chairman Salkin presiding. Members present were Chairman Salkin, Mr. McDaniel, Mr. Scrafford and Ms. Horsey. Mr. Jackson was absent.

Planning Office Staff members present were Mrs. Melson-Williams, Mr. Cook, and Mrs. Purnell. Also present were Delaware State University Historic Preservation Graduate Program student Jennifer Hewett.

APPROVAL OF AGENDA

The agenda as presented was approved by acclamation.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF OCTOBER 15, 2015

Mr. Scrafford moved to adopt the minutes of the regular Historic District Commission meeting of October 15, 2015, seconded by Mr. McDaniel and the motion was unanimously carried 4-0 of the members present.

COMMUNICATIONS & REPORTS

Summary of 2015 Activity

Mrs. Melson-Williams stated that there were no major changes to the Summary of Applications 2014 and 2015 since the October 2015 meeting. Update on application HI-15-06 which was the consideration of determination of Demolition by Neglect for the building at 312 West Loockerman Street, the Building Permit was issued in early October, but the demolition process of the building has not started at this point.

Responding to Mr. McDaniel's question of whether the owner or the City applied for the Demolition Permit, Mrs. Melson-Williams stated the City. It was determined a Dangerous Building and the owner had until September 2015 to take action themselves and when that did not happen the City proceeded to bid the demolition and award the bid. A lien will be placed on the property for the cost of the demolition.

Mrs. Melson-Williams stated that she did not have any update on The Santa House project.

Summary of Architectural Review Certifications for 2015

Mrs. Melson-Williams stated that permit activity within the Historic District had fifty-two (52) permits. Majority of the permits are related to building interior work. There were a high number of Sign Permits. There were some window and roof projects. There were two Demolition Permits, one that was previously mentioned and the other was an interior demolition project. Seven (7) of the fifty-two (52) permits made some type of appearance before the Historic District Commission as an informational item or as part of a formal application. Two (2) of the permits were associated with formal applications. The remaining permits were eligible for Staff approval.

Mrs. Melson-Williams asked if there were any other questions regarding the permits.

Chairman Salkin asked in a previous meeting (6 months ago) about the status of 6 South State Street extra sign and the second sign at Presbyterian Church and his question was to help him understand where they stood in relation to the Ordinance.

Mrs. Melson-Williams stated that the sign at 6 South State Street was originally placed without a permit and in doing the permit submission review it could be considered a directional sign if changes to the height was made. Changes to the height of the sign were made and the permit was reprocessed for a directional sign. She will give information on the second sign for the Presbyterian Church at the next meeting.

Responding to Chairman Salkin's question regarding the temporary sign for Christ Church and if it was the sign in the corner. Mrs. Melson-Williams yes, the green painted posts tend to stay and the banner is temporary.

Department of Planning & Inspections Update Restoring Central Dover Community Plan

Mrs. Melson-Williams stated that there was a handout regarding Division Street Design Week. The Kick Off meeting was held on Monday, November 16, 2015 and tonight starting at 5:00pm there will be a Final Presentation. The Final Presentation focuses on proposals related to transportation in the corridor, land uses, and other beautification type landscape improvements. The improvement would begin at Division Street and ending at Saulsbury Road (to include Forest Street and Weston Drive). The report will be due after the first of the year. There are some areas that are at the edge of the Historic District.

Responding to Chairman Salkin's question whether the Historic Preservation one of the elements that is being considered, Mrs. Melson-Williams stated yes, a lot of data gathering was done before coming to Dover this week. A lot of stakeholder interviews were done with various entities and officials. This week they have been hearing from the public and property owners. They have been doing a number of different ways to gather information and some of them have been visual preference. Historic Preservation is not one of their task areas, but it informs all of what is going on.

Responding to Chairman Salkin's question whether she knew the specifics of tonight's program and the length of time of the presentation, Mrs. Melson-Williams stated she believed that it is kind of a welcome program of what was learned this week and the alternatives. There may be some interactive activities on the project.

Delaware Downtown Development District Program

Mrs. Melson-Williams stated that the entire Division Street and Forest Street project goes through this area as well. The Downtown Development District completed the approval process to add two (2) additional areas to the Downtown Development District on the east side of South State Street and on the south side of Water Street.

OLD BUSINESS

Discussion of Architectural Review Certifications process

Mrs. Melson-Williams stated that it was mentioned at last month meeting to discuss Architectural Review Certifications. All of the ordinances that relate to the Historic District and how the Architectural Review Certifications are laid out in the code were given out at last month meeting. Included in the packet this time the information was more simplified and put together some charts to outline the Architectural Review Certifications process. She gave a brief overview of the process.

Mrs. Melson-Williams asked if there were any questions regarding the process or chart.

Chairman Salkin stated when he made the comments about Section 3.22 last month; he thought that it was minor projects. When Mrs. Townshend was explaining how the decisions were made and why certain projects do not come before the Historic District Commission, she stated that there were changes in the procedure to facilitate minor projects moving forward. The issue that he still has even with the wording of Section 3.22 he cannot conceive that the project at the corner of State and Loockerman would be considered “minor” by anyone. He thinks moving forward they need to have a clear understanding of what constitutes “minor”; either in size, location, or dramatic change in appearance. Again, at last month’s meeting Mrs. Townshend went through a listing of all the different changes such as the windows, doors, framing, etc. Each piece of that could be an argument of “minor” in or of itself, but pulling them all together goes way beyond the intent and the definition of Section 3.22 since there seems to be a difference of opinion. It would be helpful if there was a working definition or understanding so that at least between the Historic District Commission and Staff they would understand their project of this magnitude.

Responding to Mr. Scrafford’s question whether he was looking for a definition of “minor construction”, Chairman Salkin stated perhaps. Mr. Scrafford stated that “minor construction” in the business he was in when he was with the Air Force encumbered huge projects (minor construction as opposed to construction). There is also a difference between maintenance and repair.

Chairman Salkin stated that he does not think that he is talking about minor construction, but the elements of the building that comes under the Historic District Commission’s purview when those elements are being dramatically impacted (in this case dramatically impacted for the better).

Mr. Scrafford stated that it may not be “minor construction”. It could be maintenance and repair. Chairman Salkin stated or it could be major construction. He would like to hear from the other Commission members if he is on the right track when he says that it was not an impact (scope). Mr. Scrafford stated that the scope could include minor construction or maintenance and repair, but the “scope” of the project may define whether or not it needs to be reviewed. Chairman Salkin stated that scope was a better way to characterize it.

Ms. Horsey stated that to her it was not a “minor” project. She agreed with what has already been previously stated above. She stated that terminology-wise everyone needs to be on the same page and maybe that is part of the problem (major and minor construction).

Mr. Scrafford stated that the Historic District Commission is looking at the scope of the project; they do not care about whether it is new construction or maintenance and repair.

Chairman Salkin stated that from his own point of view he was not proposing that the Commission suggest a change in the Ordinance. He wants a working definition so that he understands. The Commission already has the working understanding with The Green and it would be great if it was done with State projects. He wanted more precise definitions regarding the projects. He would like to have a longer discussion regarding this issue. He also stated that in this particular case the applicants have invested to bring this building back towards what it was like previously, but it is not authentic, and he’s not saying it has to be. Unless they do a complete restoration it would be representative. It is pretty dramatic even though it is for the better; whether it is the scope from the historic preservation point of view or the size of the space. For example, if it was the entire storefront it should come before the Historic District Commission. Ms. Horsey agreed.

Mr. Scrafford stated that their definition of it is repurposing the facility and they require that the exterior part of the facility be retained. You can repurpose the facility from the inside, but you have to retain the exterior. Once you start dealing with alterations to the exterior of the building then it needs to come before the Historic District Commission. Ms. Horsey stated absolutely.

Mr. McDaniel stated that we are at the point where Staff thinks one thing and the Historic District Commission thinks something else and we do not want to change the ordinance. We want to make things happen as easily as possible. Maybe there can be an informal process when there is something in a certain area that the Historic District Commission is made aware, not that they are trying to slow down the project or without going against FOIA (Freedom of Information Act).

Mrs. Melson-Williams stated that the informal process of notification gets a little tricky. If an email is sent and it goes to all of the Historic District Commission members it could be considered a meeting.

Mr. McDaniel stated that he wants to know everything that goes on regarding The Green because he lives on The Green. This project is minor enough, but it is also major enough for the Commission to know what is going on.

Responding to Mr. McDaniel’s question when the work will start on the project, Mrs. Melson-Williams stated that the Building Permit has been issued. It also has some interior structural component to the project with steel reinforcement beams that need to be installed as part of the integrity of the north wall and tying it back into the building. The last she heard that they were waiting on the steel.

Responding to Mr. McDaniel’s question whether they are going to attempt to work in the building while this is going on, Mrs. Melson-Williams stated that she believed that is the case, but there are a number of items related to the Building and Fire Codes side that will help govern how that happens.

Mr. McDaniel and Chairman Salkin continued to discuss the matter that was mentioned above about the scope and definition of a project.

Chairman Salkin also suggested that maybe the Chair could be advised to get guidance from one person without having a meeting. Information could be shared with members of the Commission. He mentioned again about being informed or advised about the project even though there was no meeting for two (2) months while this was being considered by Staff.

Brief Discussion

Members continued to briefly discuss the project.

Mrs. Melson-Williams stated that the permit drawing shows the exterior work related to the first floor and it does not include the removal of the upper brick area.

Mrs. Melson-Williams stated that Mrs. Townshend was not present at the meeting today, but she would take the information back to her regarding the definition of “minor” and scope of work. If it is not defined in the Ordinance you defer to the dictionary definition.

Chairman Salkin stated that he did not think it was about the word “minor”; he thinks that is a factor.

NEW BUSINESS

Chairman Salkin welcomed the guest, Jennifer Hewett and asked if she had any questions.

Ms. Hewett stated that from all her research of the different historic commissions she agreed that the project previously mentioned is a big deal. She was somewhat confused after looking at other commissions why it was this way. She is still confused about how the City of Dover runs their Historic District Commission.

Chairman Salkin stated that it was a good question and they are trying to resolve it.

Mr. Scrafford stated that there is a problem with the application of the *Design Standards* on Loockerman Street and in relation to the application the same *Design Standards* on the rest of the Historic District and that has not been resolved at the current time.

Responding to Ms. Hewett’s question as to where the *Design Standards* on Loockerman Street are found, Mr. Scrafford stated you cannot. The Commission is trying to do things on Loockerman Street without having waivers for everything that occurs.

Responding to Ms. Hewett’s question regarding what is a waiver, Mr. Scrafford stated that waivers can be issued for the criteria. It is listed in the *Design Standard and Guidelines* booklet.

Responding to Ms. Hewett's question whether the Historic District Commission could waive other things in the Historic District but not on Loockerman Street because she was confused, Mr. Scrafford stated no.

Responding to Ms. Hewett's question how Loockerman Street was different than other streets, Mr. Scrafford stated that they ran into issues on Loockerman Street in an attempt to build, fix, or change things that conflict with the *Design Standard and Guidelines*.

Ms. Horsey informed Ms. Hewett about the Downtown Dover Partnership's Design Committee that she and Mrs. Melson-Williams were members of.

Mrs. Melson-Williams stated that anything getting a Façade Grant (from the DDP Design Committee) follows the *Design Standards and Guidelines*. Some of what they fund for the Façade Grant Program is awning, installation, signage and painting which does not require a permit or come before the Historic District Commission. The projects have to be visible. They do not fund a project for a flat roof.

Review of Permits Referred to Commission

There were none.

Certified Local Government (CLG) Program:

Mrs. Melson-Williams stated that since we were designated in May 2015 the first time that we will be eligible for seeking any of the grants will be in the Spring 2016. The grant is a 60/40 matching basis. We could potentially be eligible for \$10,000. Staff is in the process of starting the budget planning. We are targeting any grant money to the update review of the *Design Standards and Guidelines*. Utilizing the grant funds and other matching funds would be an opportunity for consulting assistance. The grant is mostly for educational training. There is also an application process for the grant that we have not received. It will be brought to the Historic District Commission once it is received.

Annual Meeting of Historic District Commission

Election of Chairman and Vice Chairman

Mrs. Melson-Williams stated that November is actually the Annual Meeting of the Commission. It dates to when the body was originally established. The Chairman and Vice Chairman may serve two (2) appointed terms (in an office position) which is a total of six (6) years. Mr. Salkin is finishing his first year as Chairman and is eligible to be nominated again as Chairman. The two previous chairmen served their term limits as Chairman.

Chairman Salkin stated that his term for the Historic District Commission expires in June 2016. At that point he does not have plans to ask for reappointment. He would not be able to fill out the full term, but he could serve until June 2016.

Mrs. Melson-Williams stated that an election be held if there is a vacancy in one of the positions. The term of appointment to the Commission is three (3) years.

Mr. Scrafford moved to elect by acclamation Mr. Salkin as Chairman for the Historic District Commission. The motion was seconded by Ms. Horsey and unanimously carried 4-0. Mr. Jackson was absent.

Mr. Scrafford moved to elect by acclamation Mr. McDaniel as Vice Chairman for the Historic District Commission. The motion was seconded by Ms. Horsey and unanimously carried 4-0. Mr. Jackson was absent.

Meeting & Deadline Schedule for 2016

Mrs. Melson-Williams stated that the meeting date will remain as the third (3rd) Thursday of each month at 3:00pm. The deadline date to file an application has to be at least 30 days prior to the meeting date. The Meeting and Deadline Schedule for 2016 were provided to all members.

Mrs. Melson-Williams questioned if the members were aware of their schedule for the December 17, 2015 meeting and if there was any conflicts. At the current time there are no new applications filed.

Mr. McDaniel moved to adjourn the meeting; seconded by Ms. Horsey and unanimously carried 4-0.

Meeting adjourned at 3:55 PM

Sincerely,

Maretta Savage-Purnell
Secretary