**CITY OF DOVER**
**HISTORIC DISTRICT COMMISSION**
**February 18, 2016**

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, February 18, 2016 at 3:03 PM with Chairman Salkin presiding. Members present were Chairman Salkin, Mr. Scrafford and Ms. Horsey. Mr. Jackson arrived at 3:18pm and Mr. McDaniel was absent.

Planning Office Staff members present were Mrs. Melson-Williams, Mr. Diaz, and Mrs. Purnell.

## APPROVAL OF AGENDA

*The approval of the agenda to move item #2 under New Business after approval of the minutes was approved by acclamation. Mr. Jackson and Mr. McDaniel were absent.*

## ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF JANUARY 21, 2016

*Ms. Horsey moved to adopt the minutes of the regular Historic District Commission meeting of January 21, 2016, seconded by Mr. Scrafford and the motion was unanimously carried 3-0 of the members present.*

## NEW BUSINESS

### Presentation on Capitol Complex Lighting Upgrades (HI-16-01)

Mrs. Melson-Williams gave a brief overview of the informational application that is within the Historic District that proposes lighting upgrades (fixture replacements) in the Capital Complex Area.

Representatives: Mr. Jim Hutchison, Engineer with Studio JAED; Mr. Brian Zigmand, Project Manager with Studio JAED; Mr. Mark Devore, Office of Management and Budget for the State of Delaware.

Mr. Hutchison stated that the older fixtures are not compliant with the current codes due to voltage and there is a need to get better lighting as well as to reduce the amount of energy consumed. The project was designed and presented to the State and is ready for bid.

Mr. Zigmand stated that the initial cause for the project was previously mentioned. The intent is to correct the code conditions. In previous years of the 1970's and 1980's, there were no codes. They presented to change them out to an acceptable 208-240 voltage range. The cost impact would come into effect when you would have to drop the voltage and increase the wiring in absence of finding a more efficient light fixture. The benefit is that LED lights provide similar illuminations at significant lower wattage and essentially becomes the detector change out that most people pursue in this type of project. The light fixtures are normally 50% more efficient than the ones that they are replacing. The LED lights will also meet the recognized criteria for illumination of sidewalks

which the current fixtures do not. They wanted the approval of the Historic District Commission of the actual fixture. Realizing in and around the Legislative Hall and the greater City Hall area there are a few different light fixture styles that are in motion at the current time. This would certainly become the most populist in and around the area once the change has been made. There are roughly 150 fixtures noted on the base bid for this project. They presented a color version of the lighting specifications and location plans that were included in the packet to all members. The bulk of the lighting that they will take account of will be in and around the street lighting near Legislative Hall. The lighting that is being test driven is located near Martin Luther King Jr. Boulevard which is the south side of Legislative Hall. Ten (10) fixtures have transitioned over. Not everything currently shown on the drawing is base bid. Given the cost implications of the project, they will try to take down as many of the lights as possible. The lighting is divided up between the ones that are mandatory and need to be replaced due to the code issue.

Responding to Mr. Scrafford's question regarding if the lighting in the parking lot of the Credit Union was a compliance item as he referred to the survey and project sheet, Mr. Zigmand stated that the survey that was strictly done to identify every light fixture in that area. Mr. Scrafford stated that project sheet 9:3 does not show any light work being done in that parking lot, Mr. Zigmand concurred and stated that if it is not shown then the lights are already code compliant. Mr. Scrafford questioned whether that applied to The Green and State Street; Mr. Zigmand stated he believed so. Anything that is not identified fell outside of the scope or it is already code compliant.

Responding to Chairman Salkin's question that the objective over time is to replace all of the lighting with the new standard as funds becomes available, Mr. Zigmand stated yes. The existing cast iron poles will remain; they will be repainted.

A display of the LED lighting future was presented.

Mr. Devore stated that the lighting was much warmer than the old lighting.

Responding to Mr. Scrafford's question whether the lighting was a common item where consistency could be kept above the heads, Mr. Devore stated that it was being discussed. They were trying to get an approval on a type of light fixture from Spring City Electrical Manufacturing Company of Philadelphia who has been in business for a decade. There is nothing within the device itself that is proprietary.

Mr. Scrafford was thinking if the City of Dover was responsible for anything on State Street or in that vicinity that a similar fixture could be obtained so that they could have some common knowledge.

Mr. Zigmand stated that similarity was being discussed.

Responding to Mr. Scrafford's question if the LED lighting fixture presented was planned for the Capitol Complex, Mr. Zigmand stated absolutely.

Responding to Mr. Scrafford's question whether there were additional fixtures added to the contract or a straight bid with an exact number, Mr. Zigmand stated that in this particular case

there is a base bid and some alternates that were shown. The base bid is 150 lights; with the alternates it would be around 180-190. They plan to do as many as possible in this round and as money becomes available they will try to get the consistency throughout. Once you have 150 lights installed in and around that area you will see the benefit of having the same fixtures throughout.

Mr. Scrafford stated that from a Historic District standpoint commonality is a feature that might be very interesting.

Mr. Devore stated that one of the reasons they were present today before the Historic District Commission was to receive their blessings and that would create a standard that they could use in their bidding process.

Responding to Mr. Scrafford's question whether there was any conversation with the City of Dover Electric Department regarding the fixtures, Mr. Zigmand stated part of the trail that started three (3) years ago was to do a life cycle cost analysis. This would consist of whether or not the City of Dover would take over the light fixtures or have them replaced on their own. Unfortunately, the cost that would be incurred by migrating or moving the light fixtures to the City of Dover was beyond funding.

Mr. Jackson arrived at 3:18pm.

Responding to Mr. Scrafford's question whether the LED lights came in different sizes, Mr. Zigmand stated that this particular lamp comes in a different style.

Responding to Mr. Scrafford's question whether there were various sizes of the same style, Mr. Zigmand concurred.

Responding to Ms. Horsey's question whether this particular lantern is already placed around town, Mr. Zigmand stated that some samples have been placed as shown on the photos. All of the LED lights are oriented downward and is projected to the needed area. They are a direct light source.

Mr. Devore stated that a few years ago some of the lenses were replaced in the old light fixtures and some of them started to get a yellowish glow because they were changing colors due to the UV lighting. It created a situation where some of them were more yellow due to the lens. They have spent a lot of time with Spring City to get the color right so that the lighting would be warmer.

Mr. Zigmand stated that the lights are set as 30/45/70 so that you get an even light cast around the fixture as it all goes to the ground.

Mr. Scrafford stated that the color was nice.

Ms. Horsey stated that the biggest thing is on The Green there are 3-4 different types of lights whereas they have different color pane. She suggested if the City could work with this plan and have the uniform lighting it would make the Capital City beautiful as oppose to the disparate of different lights, lanterns and poles. Now that we are a National Historical Park it is worth it and

they deserve to have good lighting. She suggested that the City would extend the lighting to the entire area of The Green.

Mr. Devore stated if they get the bid with Spring City he would think that the City could work with their existing contractor if the City's contractor officials would be willing to accept and would probably receive the same rate.

Responding to Mr. Scrafford's question if they received more money would it include lighting that would go into The Green, Mr. Zignard stated that they would only be receiving a finite amount of money. Mrs. Melson-Williams stated that the lighting may not be theirs to replace or take care of from the start; they may be City lights. The contractor is replacing the State owned lighting. The survey identified some lights, but that they are not sure who owns them.

Mr. Scrafford stated that from what he has seen in the fixture and illumination it would be appropriate for the complex to make it consistent as the Capital of the State.

Responding to Chairman Salkin's question what the lenses were made of, Mr. Zigmand stated that the lenses were made of poly and UV treated.

Responding to Mr. Scrafford's question that as an aside does this straighten out the voltage issue, Mr. Devore stated it was the goal and the whole point of the project. They are not sure how much of the existing wiring is in good condition to be reused. Part of the project they will do testing. There will be continual funds for cable replacement or wiring.

Responding to Mr. Scrafford's question whether the lighting was used in Philadelphia, Mr. Zigmand stated that he was not sure about that particular model. The last time he spoke with Spring City, they had done an area outside of Reading and in some parts of Lancaster.

Mr. Devore stated that they have Spring City's fixtures in Atlanta, New York, Washington DC, etc. although it may not be the same style.

Chairman Salkin stated that the Historic District Commission responded positively on the lighting presentation.

## COMMUNICATIONS & REPORTS

Summary of 2016 Activity

Mrs. Melson-Williams stated that included in the packet was a Summary of the 2015 applications that came before the Historic District Commission. The only updated activity change is the completion of the demolition at 312 W. Loockerman Street.

Summary of Architectural Review Certifications for 2016

Mrs. Melson-Williams stated that there was one (1) flat roof permit for 47 South West Street known as the Holt Distributors Building which required no Architectural Review Certification due to lack of visibility. There was also a permit related to gutter and downspout replacement issued in early February for the Century Club on The Green and there was a permit that the Historic District Commission was made aware of previously relating to brick repair at that

location.

Department of Planning & Inspections Update

Mrs. Melson-Williams stated that there were no major projects, but there is ordinance research that the office is working on. The Downtown Dover Development District and Restoring Central Dover various committees continue to meet with implementation projects in the future.

Mr. Scrafford commented that a sign went up on a pole heading northbound on State and Water Street that was related to Downtown Development District.

Mrs. Melson-Williams stated that the Downtown Development District boundaries were delineated by signage. It was a State initiative to mark the boundaries of the Development District. It is a traffic related sign that would not require a sign permit. She was not sure who installed the signs or who supplied them.

OLD BUSINESS

Certified Local Government (CLG) Program:

Mrs. Melson-Williams stated that placed before the Historic District Commission members was a draft of the report that will needs to be supplied to the State. She asked all members to review for accuracy of their information. The report asks about any specific requests for training or technical assistance within the next year.

Mr. Scrafford stated that they would like to be made aware of any potential training opportunities that are scheduled to be held in the City as they have done in the past.

Mrs. Melson-Williams stated that some of the other Certified Local Governments have held workshops and extended the invitation to all.

Responding to Chairman Salkin's question whether there was any training available to help them as they move forward with the CLG process (standards and guidelines), Mrs. Melson-Williams suggested that she would ask if the State Historic Preservation Office could visit the Historic District Commission so they could learn more about the CHRIS System which is an electronic system that houses survey information on all historic properties.

Responding to Mr. Scrafford's question whether the Historic District Commission's *Design Standard and Guidelines* was digital, Mrs. Melson-Williams stated that the file exists as a PDF on the City of Dover website.

Mrs. Melson-Williams stated that CLG information will be finalized within the next week and then sent to the State. The Historic District Commission became a CLG in May and the report covers May-September 2015.

Responding to Mr. Scrafford's question whether the Staff approvals listed on the CLG report was the Historic District approval, Mrs. Melson-Williams stated yes. Mr. Scrafford stated that they needed credit for what was done. Mrs. Melson-Williams stated that the chart was not stand alone,

but relates to information on a previous page and the Application Review process is described on page 4.

Review of Permits Referred to Commission

Mrs. Melson-Williams stated that the office just received an application related to the property at 150 S. Governors Avenue, previously the old shoe repair store. The building is under new ownership. They are expecting to do interior and exterior renovations to the building to establish retail on the first floor. Currently, the building is clad with vinyl siding with a flat roof. In addition, to the interior project they are replacing the front door, window, and vinyl siding. The upper area of the front façade will have more of a shake look to the siding rather than the horizontal view. There are a lot of plumbing and electrical type items on the inside of the building that are not subject to review in the Historic District. The building currently has vinyl and they are replacing with vinyl therefore they can continue to have it; however, if they did not have vinyl and wanted to install vinyl then it would come before the Historic District Commission for review.

Chairman Salkin asked if it could be explained regarding the vinyl siding and if it was a precedent. Mrs. Melson-Williams stated that it is typically like the situation of roof materials; if it already has asphalt it continues as the same. Similar things have been done with the siding.

Chairman Salkin questioned if it was something that was just accepted or is it in the Guidelines. Mrs. Melson-Williams read the Guidelines.

Ms. Horsey commented if they were taking off the old vinyl and replacing with new vinyl, then why the Historic District Commission could not make a recommendation to keep the old clapboard (siding).

Responding to Chairman Salkin's concern and to help the Historic District Commission understand that if they did not raise any of the issues how would this project proceed, Mrs. Melson-Williams stated that this would be a Permit whereas Staff would do the Architectural Review Certification judging it against the "*Design Standards and Guidelines"*. Staff could then issue the Architectural Review Certification. If there were any particular concerns regarding whether or not it complied it could be referred to the Historic District Commission for your help in determining the Architectural Review Certification. She has looked at the Permit briefly because the building code review happened late last week and it just came into the Planning Office. Staff had a lot of discussions with the owner regarding her thoughts and plans and to guide her away from things that were clearly inappropriate to the District.

Responding to Chairman Salkin's question regarding the cornice, Mrs. Melson-Williams stated that the owner was looking to remove the cornice between the first and second floor and the size of the windows which were early discussions about what she was thinking about doing. From looking at the Permit, the windows are staying the same size and the cornice and door remains.

Ms. Horsey commented that is was a good thing that Staff headed of the owner in the right direction, but she still felt that the Historic District Commission is the one that should pass judgement. There is no point in having the Historic District Commission active if they don't have review or knowledge of projects. She felt that this was a major change.

Mrs. Melson-Williams stated that the form of the building was not changing.

Discussion

Members continued to discuss the project and reiterate their same concerns as they have previously regarding reviewing projects that has significant changes to the building or specified color choices, especially with the buildings Downtown. They felt that people should be challenged more to do better by the Historic District Commission other than just by Staff. The Historic District Commission is there to support the Staff.

Mrs. Melson-Williams stated that the preliminary review of what she has looked at thus far would be something that Staff could grant approval.

Mrs. Melson-Williams stated that on this project and Permit she could note in the comments that it was presented to the Historic District Commission and the concern of the appropriateness of the cedar shake on the upper portion of the front wall and the concern of the continued use of vinyl on the building.

Chairman Salkin questioned whether the Permit would come before the Historic District Commission after the comments are issued with the Permit as previously stated by Mrs. Melson-Williams; Mrs. Melson-Williams stated no, unless they find that in the Permit there is truly significant items that will need to be formally referred to the Historic District Commission for the review in the Architectural Review Certification process.

Ms. Horsey stated again that all permits with building changes in the Historic District should come before the Historic District Commission. Mrs. Melson-Williams stated that the *Zoning Ordinance* prescribes the Architectural Review Certification process and gives Staff the ability to review certain types of project activities through the building permitting process which is an administrative review.

Chairman Salkin stated that on a previous permit that was approved by Staff, the Historic District Commission respectfully disagreed with the interpretation or definition of that section by Staff. Mrs. Melson-Williams stated that with the situation on the corner, Staff did the reviews and issued the permit with the Architectural Review Certification because it met the *Design Standards and Guidelines and* Staff's interpretation of what they are allowed to do under the provisions of the *Zoning Ordinance*. If the Historic District Commission wishes to challenge Staff determination or the interpretation of the *Zoning Ordinance* that is an appeal to the Board of Adjustment. If the Historic District Commission seeks to change what the Code states, then that would be an amendment to the *Zoning Ordinance* which is a process regarding language that is being proposed to be changed.

Responding to Chairman Salkin's question that the Historic District Commission could appeal to the Board of Adjustment, Mrs. Melson-Williams stated yes and it is specific to provisions of the *Zoning Ordinance* (Article 9).

Chairman Salkin stated that he and the Historic District Commission were not interested in appealing the decision of the building on the corner as that was not his reason for raising the question, but they don't want it to happen again.

Mr. Jackson stated that the history needed to be changed so that the Historic District Commission is not after the fact. We need to come before the fact otherwise there is no point in what the Historic District Commission does.

Chairman Salkin stated that the message would be to ask Mrs. Melson-Williams and the chain of command to look at the *Zoning Ordinance*, recognize their concerns about the building on the corner, and acknowledge that they have raised the same issues on this project. They as a Commission believe that it should not be handled at the Administrative level. If Mrs. Melson-Williams, Mrs. Townshend, and the City Manager disagree then there can be a discussion amongst us at a later date if the Historic District Commission wants to suggest a change in the *Zoning Ordinance*, but in the meantime it is important for people to know that the Historic District Commission believes that those two (2) projects are examples of activities that belong before the Historic District Commission after preliminary Administrative Review, but not a final review. The Historic District Commission understands the process and limitations.

Mrs. Melson-Williams referred to the *Zoning Ordinance* provisions in Article 10, Section 3.2 Architectural Review Certification and 3.22 which outlines what provisions can be done by the City Planner.

Chairman Salkin stated that since the Historic District Commission members present strongly disagreed very strenuously regarding the property on the corner and until they know that they have a common understanding of how it is going to be applied and implemented they would like to see any substantial project (especially an entire façade). He did not believe that the *Zoning Ordinance* was written to enable administrative Staff to bypass that.

Mr. Scrafford commented that during the rewrite of the *Zoning Ordinance* the questions were brought forward. He wondered if the *Zoning Ordinance* was specific enough as to what can or cannot be done. The Historic District Commission was told that certain things would not happen, but they are happening. The Historic District Commission authority has been relocated in certain instances and they object to that.

Mrs. Melson-Williams stated that she did not know that and they would have to revisit Article 10 Section 3 read previously. There were adjustments made to clarify procedures in general.

There was additional discussion regarding the project such as photos and painting.

Responding to Chairman Salkin question whether the applicant applied for the DDD grant, Mrs. Melson-Williams stated that the Downtown Dover Partnership Design Committee had a meeting on February 17, 2016. The Downtown Dover Partnership Design Committee reviews applications for the Partnership's Façade Grant Program. They reviewed an Application for this project. That Façade Grant Program does not exempt them from any City process. The projects are charged with meeting the *Design Standards and Guidelines for the City of Dover Historic District Zone.*

Responding to Chairman Salkin question regarding if the applicant receives a grant where does the money come from, Mrs. Melson-Williams stated that it is money that the Downtown Dover Partnership has acquired through various means. The maximum amount that any small scale project can receive is $2500.

*The meeting was adjourned by acclamation.*

Meeting adjourned at 4:19 PM

Sincerely,

Maretta Savage-Purnell
Secretary