CITY OF DOVER
HISTORIC DISTRICT COMMISSION
December 17, 2015

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, December 17, 2015 at 3:11 PM with Vice Chairman McDaniel presiding. Members present were Vice Chairman McDaniel, Mr. Scrafford and Ms. Horsey. Mr. Jackson arrived at 3:20pm and Mr. Salkin was absent.

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

Mrs. Melson-Williams introduced our new planner Mr. Eddie Diaz.

APPROVAL OF AGENDA

Mr. Scrafford moved for approval of the agenda, seconded by Ms. Horsey and the motion was unanimously carried 3-0. Mr. Jackson arrived at 3:20pm and Mr. Salkin was absent.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF DECEMBER 17, 2015

Ms. Horsey moved to adopt the minutes of the regular Historic District Commission meeting of December 17, 2015, seconded by Mr. Scrafford and the motion was unanimously carried 3-0 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-15-07 which is The Santa House project; the building is in place. Santa was going to arrive this afternoon for an official ribbon cutting at 5pm, but due to weather delays he is expected to conduct the business on Monday, December 21, 2015 at 5pm.

Mr. Scrafford stated that it was nice to see The Santa House project take fruition.

Mrs. Melson-Williams stated that the roof is not the bright Santa red, but more of a burgundy tone and the two (2) doors on the front of the building are also in the same burgundy color.

Mrs. Melson-Williams asked if there were any questions regarding the Application Charts.

Mrs. Melson-Williams stated that the only other item related to an application would have been associated with the building located at 312 W. Loockerman Street which was the consideration of a determination of Demolition by Neglect. Ultimately, the City had to take the action to demolish the building and that has occurred. It's in the process of backfilling the hole because it had a basement. The work is progressing.

Vice Chairman McDaniel stated that he had kind of thought that the owner would have fixed up "My Place".

Mrs. Townshend stated that the owner tried just before the building was demolished. The owner called the office in November inquiring why permits could not be issued for the building. At that point, the asbestos abatement had already begun.

Both Vice Chairman McDaniel and Mr. Scrafford stated that the owner had plenty of time to fix the building.

Summary of Architectural Review Certifications for 2015

Mrs. Melson-Williams stated that permit activity within the Historic District had fifty-eight (58) permits. There were fifteen (15) interior renovation projects which require no Architectural Review Certifications. Of the fifty eight (58) permits, eight (8) permits made some type of appearance before the Historic District Commission as an informational item or as part of a formal application. Majority of the permits are related to signage. The chart enclosed in the packet is listed through the end of November 2015. There has been no activity on the permit for 2 West Loockerman Street.

Mr. McDaniel stated that the Century Club located on The Green received grant money and asked if a permit had been submitted, Mrs. Melson-Williams stated no, but she has spoken to a representative in the past.

Mrs. Townshend stated that the Century Club is also eligible for the Downtown Development District Grant. She stated that spoke to someone a long time ago shortly after designation regarding the program.

Mr. Scrafford mentioned working with the Century Club years ago regarding grants when they were going to do a roof project.

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

Department of Planning & Inspections Update
Restoring Central Dover Community Plan
Delaware Downtown Development District Program

Mrs. Townshend stated that there have not been any major updates. The Downtown Development District boundary was extended to include the area that fronts Water Street between Governors Avenue and State Street and also the properties that front State Street between Loockerman Street and The Green. The area on State Street is in the Historic District. She hopes that people will utilize the opportunity to improve their buildings. Because of the legislation of the Downtown Development District, a portion of the State Historic Preservation Tax Credit is required to be spent within the Historic District.

Mr. Jackson arrived at 3:20pm.

Vice Chairman McDaniel stated that he had seen a list of the applications for the Downtown

Development District program.

Mrs. Townshend stated that the announcements of which projects are getting funded will be made at the end of January 2016.

Responding to Vice Chairman McDaniel as to whether the deadline to submit an application had passed, Mrs. Townshend stated yes, the application deadline was December 1, 2015 (for large projects).

NEW BUSINESS

Presentation of South Bradford Street Streetscape Enhancements Project: Segment between West Division Street and West Loockerman Street (HI-15-08)

Representative: Mr. Jonathan Hermes and Meghan Richardson; Century Engineering

Handout of South Bradford Street Streetscape Enhancements – Existing Conditions and Proposed Renderings

Mr. Hermes stated that the handouts on display were a little different than what the members received in their packet. The project falls under the State Transportation Alternative Program (TAP). DelDOT is the administrative agency and the sponsor is the City of Dover. The Streetscape Enhancements are between Loockerman Street to Division Street. The proposal is to do redo the sidewalks, add street lighting, new curbing and potentially improving the landscaping, ADA improvements from the Wesley College area to the Downtown Business area. The project is within the Historic District and the timeline for the project is in the concept stage. They are currently working on the concepts plan that will be completed in roughly January. The few concepts will then be put into the DelDOT system and funded. The design will start in the second half of the calendar year 2016. The design takes roughly a year, but if it gets moved forward it would still mean that construction is not until 2017. They have been going out to the public, met with some of the property owners, done field investigations, visited some of the DDP organizations and City. They came up with some alternatives that they feel are consistent with what the area is in historic nature.

Mr. Hermes gave an overview of the photo handout (Existing Conditions and Proposed Renderings).

Mr. Hermes stated that they are proposing a new concrete sidewalk with brick edging and a 4 foot buffer between the sidewalk and the curb. It would be one consistent style of brick that is ADA compliant in the area. There is also a photo of the full area in brick. They wanted to do this because it ties into the historic area and it is consistent with the brick buildings and the work done on Loockerman Street. When the two alternatives are compared, the brick is definitely more expensive and the other concern was the overall maintenance of the brick. The long term maintenance is a higher cost when you have brick verses the concrete. The proposed concrete with brick is easier to maintain but yet has the historic features and accent. It also provides a better visual direction for the ADA requirements and people that maybe visually impaired. He mentioned that the pattern shown with the concrete sidewalk with brick edging was used on the Capital City

Trail Streetscape project two (2) years ago. This was also used to tie in the Downtown and the sidewalk from Legislative Hall to Route 13 and over to Silver Lake Park. One of the biggest concerns with the landscaping is the roots of the large trees. The roots have pushed up to the sidewalks. This is one of the first items mentioned when they met with the residents and they asked to have their sidewalk replaced. Concrete will do a better job and last longer because the brick have many smaller openings; therefore, when the roots come up it allows for a more gaps which need to be fixed due to ADA Compliance. These trees are mature and they do not expect a small root to become a big root and do as much damage such as pushing up through the sidewalk. They will put some things into the design to help limit if there are areas with no trees or plans to add trees to help minimize the roots coming into the sidewalk area. He asked if there were any questions.

Mrs. Townshend want to clarify from the City's perspective the preferred alternative was the middle photo (concrete with brick) in the Downtown portion closer to Loockerman Street. There were a couple of concerns with full brick such as cost of maintenance and the ability to keep it maintained and the long term accessibility. It may meet ADA when it is installed, but it is much harder to maintain it as accessible. In her recent discussion with the Institute for Public Administration when they were in Dover, they did an accessibility tour where the accessibility Coordinator for DelDOT went around in his mobilized wheelchair. Even the well maintained brick sidewalks were very difficult for someone in a wheelchair. Even though we tend to like the brick, from a maintenance and accessibility perspective the concrete for the walking path is the preferred alternative. This was also the preferred alternative of the City Manager and Public Works perspective.

Mr. Hermes stated that DelDOT does not approve brick under a standard sidewalk application. They will only consider if it is historic or a special application for ADA reasons. This is a location that is historic in nature.

Vice Chairman McDaniel stated that when Mr. Hermes came to the Downtown Development Partnership some of the members stated that they liked the all brick idea and that could have been one of the reasons it was added.

Mrs. Townshend stated that it was put back on the table after it was taken off the table prior to the meeting.

Vice Chairman McDaniel stated that as the Acting Chair he liked the all brick.

Ms. Horsey stated that the sidewalk between the north side of The Green and Loockerman Street that was placed in 1987 for the bicentennial year, the brick is perfect. She stated that it was laid correctly and is beautiful.

Ms. Horsey questioned why brick can't be laid to last a long time. She stated that the concrete with brick is fine for bicycle path, but not for the Downtown. If Belgium block is laid correctly and tightly she would define anyone not to get a wheelchair across it.

Vice Chairman McDaniel stated that when the Belgium block was first put in he fell down getting out of the car.

Ms. Horsey stated that it depends on how it is laid.

Vice Chairman McDaniel stated that maybe a compromise could be made that in the residential block it could be concrete with brick. He happens to like the brick in the Historic District. He stated that he has not had any issues with the brick that was laid on sand 12 years ago in front of his home.

Responding to Mr. Scrafford's question of the design criteria for sidewalks in the Historic District, Mrs. Melson-Williams stated that the *Design Standard and Guidelines* for the Historic District zone does allow for brick and concrete for sidewalks.

Responding to Mr. Scrafford' s and Vice Chairman McDaniel's question regarding who pays for the project, Mrs. Townshend stated that it is paid for by DelDOT. In terms of the regulatory authority of the Historic District it relates to the private properties. In this case your comments are advisory and will be considered by DelDOT and Public Works as the project moves forward.

Mr. Hermes stated that the project is funded 80% through federal funding and 20% through sponsors. A concrete base is also placed with the brick to help with the stability. Some of the issues maybe when Public Works has to adjust a sewer or water valve especially in the residential area and they cut into the brick, then it is never put back the same way. There is also the tree issue. Everything will be done to mitigate the roots, but you will have trees in the area that will get into some of the bricks. Brick that is put in well and that has a good foundation and drainage can last a very long time without openings.

Ms. Horsey stated that there is beautiful brick laid on The Green that has been there since the 1920's or earlier and there is nothing wrong with it.

Mr. Hermes mentioned that there will be a Public Workshop on January 12, 2016 from 6-7pm. Notices were sent to all residents in the area.

Vice Chairman McDaniel questioned as the Historic District Commission do the members want to take a stand on the project so that it is known how they feel.

Mr. Scrafford stated no, because the members will have to vote on the project officially when they come back before the Historic District Commission.

Vice Chairman McDaniel stated that the project would not come back before the Historic District Commission.

Mr. Scrafford questioned how can they avoid not coming back before the Historic District Commission? Vice Chairman McDaniel stated because it is advisory element.

Mr. Scrafford stated if anyone does work in the Historic District they would have to come before the Historic District Commission. Sidewalks are a part of the design criteria. Therefore they get a chance to vote on the project and he did not want to vote on it today.

Mrs. Townshend stated that the *Zoning Ordinance* regulates private properties and not the public right-of-way. Therefore, improvements that are associated with the public right-of-way are not brought before the Historic District Commission. As it relates to the authority of the Commission under the *Zoning Ordinance* and because zoning only relates to private property, she thinks the regulatory component of the district role relates only to private property.

Vice Chairman McDaniel stated that they just advised on the bicycle path, Mrs. Townshend concurred.

Mr. Hermes stated that recommendations were provided by the Historic District Commission regarding the bicycle path. He stated that he would also like to have a recommendation from the Historic District Commission regarding this project. He stated that they would be coming back before the Historic District Commission. He stated that the Historic District Commission is one component and he would like to have the feelings and comments on record. They do have to come up with a cost estimate.

Vice Chairman McDaniel moved to state that the Historic District Commission was in favor of all brick (for the sidewalk project). The motion was seconded by Ms. Horsey and unanimously carried 4-0. Mr. Salkin was absent.

Mr. Hermes again welcomed all comments and invited the Historic District Commission to the Public Workshop on January 12, 2016 from 6-7pm in the City Hall Conference Room.

Mr. Scrafford asked again who was paying for the project; Mrs. Townshend stated that the project is funded 80% through federal funding and 20% match from the City of Dover.

Mr. Scrafford stated that the State of Delaware right-of-way is from curb to curb and this is the City's right-of-way.

Mrs. Townshend stated that it is the City's street not DelDOT. Bradford Street is not a State maintained road.

Responding to Ms. Horsey' s question regarding how DelDOT can spend money on a City street, Mrs. Townshend stated that it is under the Transportation Alternatives Program.

Mr. Hermes stated that through the Transportation Alternatives Program it allows DelDOT to sponsor programs and projects that are in the City and outside of their right-of-way. The sponsor has to be a municipality and in this case it is the City of Dover; it could have been Kent County.

Mr. Scrafford stated that in a sense it is not a DelDOT project, but a City of Dover project. Mr. Hermes concurred, but it is administered through the DelDOT process for this project.

Mrs. Townshend stated that DelDOT will oversee the construction of the project.

Vice Chairman McDaniel stated that he thinks it is a great project regardless of what happens. He was glad that the project was presented to the Historic District Commission and all members of the

Historic District Commission and property owners should make an effort to attend the workshop.

Mr. Hermes mentioned if anyone had any questions before the workshop to contact them. At the current time, it is a $200,000 sponsor match from the City of Dover as it is a $1,000,000 cap project.

NEW BUSINESS

Review of Permits Referred to Commission
There were none. Mrs. Melson-Williams stated that the Office received a permit today that was associated related to interior repairs at Legislative Hall.

Certified Local Government (CLG) Program:
Mrs. Melson-Williams stated that there was nothing new to report. She read more about the program and there is an Annual Report that needs to be prepared based on the Historic District Commission activities during what was the last federal fiscal year that ended October 2015. The report is due by the end of January 2016.

OLD BUSINESS
Discussion of Architectural Review Certifications process

Mrs. Melson-Williams stated that it was mentioned at last month's meeting to discuss Architectural Review Certifications. She was able to look at some other jurisdictions'. Other jurisdictions process is broken into minor and major works. She has not had a chance to deeply research what their code states versus which side of the list it falls into. Looking at the examples, it really depends on the individual jurisdiction's design standards and guidelines and how restrictive they are in general and the types of projects they see within the Historic District. There are some other approaches to how the task responsibilities are distributed between staff and the commissions.

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's meeting. Included in the packet this time, the information was more simplified and put together in some charts to outline the Architectural Review Certifications process. She gave a brief overview of the process.

Responding to Mr. Jackson's question of who is the ultimate determiner of the major and minor projects, Mrs. Melson-Williams stated that the City does not currently use those two (2) terms. The *Zoning Ordinance* lays out three (3) different procedures that include a staff review process, Historic District Commission only or the case with what typically happens with large building projects. The Historic District Commission is normally the recommending body typically with large building projects because the application is of a size that it has to go to the Planning Commission. The *Zoning Ordinance* specifically describes the types of reviews that can happen with the building permit process.

Mr. Scrafford stated that there was some discussion whether a project was new construction or renovation of existing construction because you have to abide by the definition of major or minor.

Mrs. Melson-Williams stated that the ordinance includes a much generalized list of projects types. It is not detailed enough to capture every potential project that someone could think of.

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

Meeting adjourned at 3:50 PM

Sincerely,

Maretta Savage-Purnell
Secretary