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CITY OF DOVER
HISTORIC DISTRICT COMMISSION
July 16, 2015

The Regular Meeting of the City of Dover Historic District Commission was held on Thursday, July 16, 2015 at 3:00 PM with Chairman Salkin presiding. Members present were Chairman Salkin, Mr. McDaniel, Mr. Scrafford, Mr. Jackson and Ms. Horsey.

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

APPROVAL OF AGENDA

The agenda as presented was approved by acclamation.

ADOPTION OF MINUTES OF THE REGULAR HISTORIC DISTRICT COMMISSION MEETING OF APRIL 23, 2015

Mr. Scrafford moved to adopt the minutes of the regular Historic District Commission meeting of April 23, 2015, seconded by Mr. McDaniel and the motion was unanimously carried 5-0.

COMMUNICATIONS & REPORTS

Summary of 2015 Activity

Mrs. Melson-Williams stated that the update of the 2014 applications was the Wayside Signage associated with the First State National Historical Park (HI-14-06). There are seven (7) applications for 2015 that came before the Historic District Commission. There has been no additional activity related to the building at 312 West Loockerman Street that was a Determination of Demolition by Neglect.

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

Ms. Horsey stated for clarity (correction) that for the Wayside Signage it was associated with the First State National "Historical" Park instead of "Heritage."

Chairman Salkin questioned sign questions that were raised about the second sign at 6 South State Street, 54 South State Street (Presbyterian Church of Dover), and the Banners at the Governor's Café. He asked if there could be an update at the next meeting.

Responding to Mr. McDaniel's question regarding any action on the Kirby & Holloway sign and the property, Mrs. Melson-Williams suggested a drive-by and stated that to her understanding the building was under active demolition.

Responding to Mr. McDaniel's question regarding any action on the Santa House project, Mrs. Melson-Williams stated that she did not have any additional information.

Summary of Architectural Review Certifications for 2015 (through the end of June)

Mrs. Melson-Williams stated that permit activity within the Historic District had twenty-three (23) permits. Five (5) of the permits appeared before the Historic District Commission. Majority of the

permits were Sign Permits. There were a number of permits related to building interior work. There were some roof projects. There was one interior Demolition Permit related to interior renovations.

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

Department of Planning & Inspections Update
Restoring Central Dover Community Plan
Mrs. Melson-Williams stated that the Restoring Central Dover Community Plan was adopted over the winter. They were successful with the second application for the Implementation Grant from the Wells Fargo Foundation; that was announced in June. The Steering Committee continues to actively work on their implementation pieces.

Citywide Recreational Needs Assessment
Mrs. Melson-Williams stated that the DRAFT Report of the document is available and was presented earlier this week for review to the Parks Recreation and Community Enhancement Committee on July 13, 2015. The document will move forward to City Council for review. The Historic District Commission was provided information regarding the Narrative Report and Appendix A: Dover City Parks. The full DRAFT Report also includes Appendix B-Recreation & Park Walkshed Maps and Appendix C-Survey Questionnaire and Summary. The Draft Report also gives a list of implementation strategies that were identified as a result of the initial Needs Assessment. The full DRAFT Report is viewable on the City's website under the Meetings heading for the Parks, Recreation & Community Enhancement Committee Meeting Paperless Packet. The areas that are City Parks within the Historic District were identified as the City Plaza area, the landscape area in front of City Hall, Constitutional Park, Memorial Park, and The Green.

Delaware Downtown Development District Program
Mrs. Melson-Williams stated that the program is active. There have been a number of permits for the activities within the Development District. Habitat for Humanity has been working on the construction of several homes on South Kirkwood Street which is utilizing a number of the incentives from the Downtown Development District Program.

OLD BUSINESS

Update on Certified Local Government (CLG) Program:
Mrs. Melson-Williams stated that included in the packets was the letter of May 15, 2015 that formally designates Dover as a Certified Local Government Program. There are some additional opportunities for technical and financial assistance in dealing with Historic Preservation matters. There is a specific agreement that the City had to be a party to that recognizes what the requirements are for being a Certified Local Government. The agreement relates to the processes for the designation and protection of historic properties. There is a Historic Preservation Review Commission in place. There is a system for survey and inventory of historic properties and it also references opportunities for public participation. If any property was to pursue National Register of Historic Places designation it would move through a very specific review process with the City as well as the State processes that are currently required. The first eligibility to apply for funds is next spring for FY17 starting (July 2016) with the available money in the amount of $10,000.

Chairman Salkin commented that it would be helpful to have the application process as an agenda item in the next month or two.

Mr. McDaniel stated that it is important that the Historic District Commission received the designation of the Certified Local Government Program because it has been a long time and he was excited. This is what the City needs to ensure that there is a historic review board.

Mrs. Melson-Williams stated that as part of the Certified Local Government program is the ability of the State Historic Preservation Office to clearly to devote time to technical assistance. It would be an excellent opportunity for them to visit and give more details about the program.

Responding to Mr. McDaniel's question on whether there were many in Delaware, Mrs. Melson-Williams stated that there are five (5) or six (6) Certified Local Government programs. They are the City of Wilmington, New Castle County, Delaware City, Lewes, Milton, and the City of Dover. Lewes is one of the newer groups and is fairly active. As part of their grant money they received they have sponsored specific training.

Mr. Scrafford commented that it would be helpful to have a list of successful grants.

Mrs. Melson-Williams stated that there are items that have been established through various studies such as the City's Comprehensive Plan Historic Preservation Chapter that lays out a series of goals and initiatives.

Mr. Scrafford commented that one at of the meetings it was stated that a brochure was produced. Mrs. Melson-Williams stated that it is not necessarily bricks and mortar projects that receive the grants and it actually may be prohibited under the grant. It is more like outreach materials, specific studies, and development of guidelines, etc.

Responding to Chairman Salkin's question whether there was any need for cash match, Mrs. Melson-Williams stated that there may be a matching component, but it does allow the in-kind services which is staff hours.

Review of Permits Referred to Commission
There were no permits referred to the Commission for consideration.

Information on Permits with Architectural Review Certification Issued by Staff
Sign Permit #15-251: Wayside Signage on The Green for First State National ~~Heritage~~ Historical Park (HI-14-06)

Mrs. Melson Williams stated that it was brought to the Historic District Commission as an informational presentation. Persons from the National Park Service spoke regarding the plan for the Wayside in November of 2014. It is considered a Public Sign under the Sign Regulations. However, due to the placement and the recent involvement related to establishment of what was the First State National Monument Park and now the Historical Park it was brought before the Historic District Commission. Staff attended the ceremonial dedication and unveiling of the signs that happened in late May. The signs are not physically located on The Green. The signs are

located on the other side of the roadway between the State House and the Kirk-Short Building which is the State Historic Preservation Office. They are referred to as two Waysides and there are a couple of other waysides that are located in other areas of the Capitol Complex. There is one wayside on each of the north and south sides of Legislative Hall. There used to be a wayside sign between the Sykes Building as you moved toward the old Levy Court Building.

Ms. Horsey stated that the wayside sign between the Sykes Building is still there.

Mrs. Melson-Williams stated that the Wayside Sign utilizes the National Park Service format so that people know that they have arrived which is one of the concerns of this being a very different type of park from what you typically see in their system.

Building Permit #15-643: Exterior Renovations at 15 & 21 The Green

Mrs. Melson-Williams stated that the Building Permit is for exterior renovations at 15 & 21 The Green which is the State Historic Preservation Office. The Planning Office provided comments. The project on the Kirk-Short Building project is a continuation of some of their other activities that they have been doing at the building over the past five (5) years. There has been maintenance and repair of the historic building which is related to the exterior fenestration and building system.

The permit focused on the north and west elevations of the building. Work was previously done on the south (front) and east elevations. The brick building work involved exterior masonry repair. They are specifically working with some of the windows, wood work and gutter and downspout repair. Work is also being done on portion of the rear wing of the building that has asphalt shingles. There is a small demolition related to a later addition that is on the rear of the building that provided access in a restroom facility that was being removed on the interior with this project. The building was originally used as multiple different office spaces, but now it is being occupied by one agency. Staff did the Permit Review and it was noted that the permit would be brought before the Historic District Commission as informational purposes. All of the activities that were being done in this project clearly met the *Design Standards and Guidelines*. They were also addressing some drainage issues.

Responding to Mr. Scrafford's question whether the Guidelines in the book were being met, Mrs. Melson-Williams replied yes.

Ms. Horsey commented that as an employee of this Division and also as a neighbor she was delighted beyond belief that this is finally occurring. She thought that since everyone is concerned about the Historic District this work is being done in the highest manner and there is no fake material and the work is being done by BRS Consulting Inc.

Responding to Chairman Salkin's question on whether the aluminum siding was staying, Mrs. Melson-Williams replied yes.

Responding to Chairman Salkin's question whether the metal roof was being replaced, Mrs. Melson-Williams stated that it is part of the flat roof system on both buildings with a built in gutter that is not visible on the information provided.

Responding to Chairman Salkin's question whether the M7 windows were changing in size, Mrs. Melson-Williams stated yes. The windows are changing in size and are related to the proximity to the roof system of the addition. The brick is the infill of that space and will match the brick of the existing wall.

Responding to Chairman Salkin's question whether it was restoring it to an original dimension or is it a modification of the historic building, Mrs. Melson-Williams stated that it is very likely that it may have been the square format to begin with.

Mr. Jackson stated that it looks like with the addition they were reduced from the original size.

Mrs. Melson-Williams stated that there is some change on the west side of the building which is most likely related to drainage issues.

Chairman Salkin stated that he asked the question because the contractor may be modifying the historic fabric of the building. He questioned if this was routine. Responding to Chairman Salkin, Mrs. Melson-Williams stated that she considered this minor. If the contractor was putting up big display windows or more extensively changing the dimension of the windows then that would certainly be something that would warrant additional review. This is the rear of the building and most of the work has very limited visibility**.**

Responding to Chairman Salkin's questioned whether the ADA compliance was the responsibility of the contractor such as the stairs, doorways, and railings of this project. ADA requires that improvements to be made when there is a major renovation project and where did it fit in. If the contractor did follow the ADA requirements the permit would probably need to come back before the Historic District Commission. He wanted to make sure that whatever was required for ADA is engrained with this process so that the Historic District Commission has the opportunity make comments ahead of time in case there is an issue. He imagined if the stairs for example required a new railing to be in compliance; then ADA could impact the design. Mrs. Melson-Williams stated that there are provisions in the Building Code related to full compliance with ADA accessibility items if it is listed on the National Register or in a Local Historic District. It gives the Building Code Official some flexibility in looking at what are some reasonable accommodations that do not impact or take away the significance of the building.

Chairman Salkin stated that in most cases the issues have not been dealt with on historic buildings.

Mrs. Melson-Williams stated that a number of years ago a lot of work was done related ADA accessibility for a number of buildings in the Capital Complex and a lot of railing work was done.

Mr. Scrafford stated that the Courthouse was addressed. Mrs. Melson–Williams stated that yes, some of it came before the Historic District Commission but she was not sure if all of it was ultimately implemented. With State projects there is a State Accessibility Review Board. Responding to Mr. Scrafford's question if it was to affect the exterior of the building it would come before the Historic District Commission, Mrs. Melson-Williams stated that it would be in a

permit activity and depending on what it is it might need to come before the Historic District Commission.

Mr. Scrafford stated that it seems to be inconsistent to design the building and get it through the Historic District Commission and then attack ADA only to find out that you need to come back again**.** It just seems odd to add the very thing that people are trying to avoid, which is repetitive meetings with the Historic District Commission than to accept or disapprove what is submitted. Mrs. Melson-Williams stated that the listing on the permit is standard language that issued coming out of the Building Code side of the review.

Chairman Salkin stated that he was looking for simple terms that are helpful to him to understand through whatever process an owner goes through to determine ADA requirements. Whether it is the City or State Accessibility Board, the Historic District Commission should understand what the legal ADA requirements are for the building review of the plans.

Mr. Jackson commented that it is enough for the Historic District Commission to just mention that it will be done by others for example requirements are for the building review of the plans such as how the railings might affect the appearance of the building.

Discussion of above comments regarding ADA requirements.

Mr. McDaniel commented that he would think that the Building Inspections process would take care of their concerns.

Chairman Salkin commented and agreed with Mr. Jackson that it should be in writing what needs to be done and by whom.

Ms. Horsey wondered if there were other buildings on The Green (the Sykes Building in particular) that put in a ramp many years ago and if the ramp was installed due to a requirement. The building is not visited no more than the building on 21 The Green. They are not highly visited public buildings. This is an example of a building similar in age that has a ramp.

Mr. Scrafford stated that the decision as to whether it should or should not is not the Historic District Commission responsibility. If it is done, then it is the Historic District Commission task to evaluate. He agreed with Mr. Jackson that it needs to be listed somewhere that the Historic District Commission has indicated that they recognize it needs to be done.

Mr. McDaniel stated that the Sykes Building had the opportunity to put in the ramp when the wall fell off. Ms. Horsey agreed.

Chairman Salkin commented that he believed that this project should have come before the Historic District Commission a long time ago. The Historic District Commission has asked that every project on The Green come before them. It is a great project and it is as intrusive as any project on a historic project that he has seen in five (5) years. In a normal process the Historic District Commission would have the owner, builder, and consultant at a meeting so that questions

could be answered before approval (to include ADA questions). He stated that he was very disappointed that these questions and other questions he had could not be answered. Responding to Chairman Salkin's question if someone submits a permit that meets the Guidelines does it still have to come before the Historic District Commission, Mrs. Melson-Williams stated it depends on what the project is. The *Zoning Ordinance* specifically lays out the type of things that are eligible for Staff review and the type of things that require Historic District Commission review and potentially Planning Commission review. Typically, the construction of a new building is not something that Staff can review; it would require the Historic District Commission and the Planning Commission. Smaller rehab style projects and Sign Permits that are specifically laid out in the *Zoning Ordinance* can be renewed by Staff. Staff can provide for the next Historic District Commission the entire section of the *Zoning Ordinance* on the Architectural Review Certification process and the types of activities that can be handled through a Staff Administrative process with a Building Permit (this was previously discussed). There are types of things that have to take that next step of filing a formal application to the Historic District Commission. Even those that are just a Building Permit application, if Staff has any questions on whether it meets the *Design Standards and Guidelines* they have the opportunity to do so and forward the information to the HDC.

Mr. McDaniel stated that the Historic District Commission wanted to be aware of items on The Green and have input.

Ms. Horsey stated that the bricks on sidewalks are not the same as on buildings, but in some ways they are because the Historic District Commission has asked in previous meetings to know about the uptake of old bricks (sidewalks) within the Historic District. It is really the same thing as windows on a building in her mind (it is not a whole lot of difference). It is more of an FYI (For Your Information) that some of the projects, especially on The Green or nearby, should just automatically come through the Historic District Commission. This is the reason the Historic District Commission exists.

Chairman Salkin stated what the Historic District Commission is lacking in part is some type of a notification process for these kinds of projects because the Ordinance states one thing and the tradition states another and Staff may have a different perspective. On a project like this that was submitted two (2) months ago, there was plenty of time for him as the Chairman or the entire body as members to get an email or be alerted that the Permit was going through the process and if they had any questions to come into the office. There is a gap. Mrs. Melson-Williams stated that she was not sure how much of that could be done without constituting a meeting. Chairman Salkin stated that he understood, but as individuals the Historic District Commission could look at a set of drawings that are on display. During the time there were no Historic District Commission meetings the Permit was moving through the process. We could have had a meeting or some notification of the status. It fits into two (2) categories that (unofficial policy) anything on The Green was reviewed by Historic District Commission and after the Woodburn project was approved that he thought that everyone including Staff agreed that the Historic District Commission would see the larger state agency projects. It needs to be clarified at some point because this permit fits into both categories.

No action needs to be taken on this Permit it was informational.

Responding to Chairman Salkin's question on the status of the project, Mrs. Melson-Williams stated that she had not seen any major scaffolding at this point but the Permit has been issued. The Permit as all permits would be active for a period of six (6) months after it would be eligible for an extension if needed. Given the timing the Permit it might be related to some fiscal year transition.

Mr. Scarfford stated that it is a big project.

Mrs. Melson-Williams stated that tomorrow is the deadline for filing new applications to the Historic District Commission and there are no new applications at the current time. They typically will wait until August before determining whether or not a meeting needs to be held so that any permit activity can be captured that may need to come before the Historic District Commission.

Mr. Scrafford moved to adjourn the meeting; seconded by Mr. Jackson and unanimously carried 5-0.

Meeting adjourned at 4:01 PM

Sincerely,

Maretta Savage-Purnell
Secretary